

## EXTENSIONS OF REMARKS

VAT WOULD BE ECONOMIC  
DISASTER

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. KNOLLENBERG. Mr. Speaker, I strongly oppose a so-called value added tax or VAT. In virtually every country where a VAT has been implemented government has grown dramatically. I would like to share with my colleagues the attached article on the VAT by Bruce Bartlett. He is currently working on a study of the VAT for the Alexis de Tocqueville Institution.

Mr. Bartlett shows that in the past 25 years the level of taxation in the European Economic Community has risen dramatically. The reason is the VAT, which has been adopted by virtually every country in the EEC. I believe that the adoption of a VAT in this country would lead to the same dramatic growth in the size and power of the Federal Government.

[From the Wall Street Journal, Apr. 16, 1993]

NOT VAT AGAIN!

(By Bruce Bartlett)

It's no real surprise that the Clinton administration has suggested it will consider a value-added tax to fund our nation's health-care reform. The VAT is one of those ideas that pops up every few years as the cure for everything from the low rate of personal saving to the trade deficit. In years past it has not gotten very far, because there was not yet a critical mass of support for it. The new mood of "national sacrifice" means, however, that this critical mass may have been achieved and that the likelihood of a VAT in our future has become almost overwhelming.

What would prompt American consumers to back what, for their pocketbooks, is the equivalent of a national sales tax? One answer is the desire to promote saving. Now there seems to be a growing consensus among academic economists and within the business community that the U.S. ought to shift its tax system more toward a consumption-based tax system and away from the income tax. This is because a tax on income penalizes saving and investment in a way that consumption taxes do not.

## BEFORE WE BUY

A bipartisan commission representing both labor and business, chaired by Sens. Sam Nunn (D., Ga.) and Peter Domenici (R., N.M.), last fall recommended that the whole federal tax system be scrapped in favor of one that taxes only consumption, exempting all saving and investment. Sens. David Boren (D., Okla.) and John Danforth (R., Mo.) are reportedly working on such a plan.

Before we buy the idea of a Clinton VAT, though, we should remember that virtually every study that has ever found significant economic benefits from adoption of a VAT has assumed that it would replace some existing tax—for example, the corporate tax. Studies also frequently look at the VAT as a

new revenue source in comparison to increases in income tax rates. Since higher marginal tax rates are the worst possible way to raise additional revenue, because they penalize economic success, a VAT naturally looks better by comparison.

While it is certainly true that a wholesale replacement of the existing income tax system with a consumption-based tax would improve our economic performance, this is not really the option the Clinton administration is considering. In fact, the administration's own ideology would prevent that. Here's why: The academics' favorite schemes—such as rewriting the tax code to replace our current progressive income-tax scale with a pure consumption tax—would result in massive tax cuts for the rich and massive tax increases for the poor. (Everyone needs to spend on necessities, but such spending represents a greater share of the poor's income.)

Even exempting necessities such as food from the tax and instituting higher rates on luxury items cannot fully offset the regressivity. That would certainly not fit in with the administration's "tax the rich" and "make them pay for the 1980s" philosophy. Consequently, the only way a VAT could ever come about is as an additional revenue source. And that is the path the administration has chosen: It wants not only higher income taxes, but also a VAT to pay for widening the state's role in health care.

Should support for a VAT strengthen in coming weeks, VAT advocates will probably cite the experience of Europe to buttress their argument. In particular, it is frequently argued that a VAT will improve the trade balance. The reason for this is because the tax would apply to imports at the border but be rebated on exports. Thus it appears at first glance that a VAT penalizes imports while providing a de facto subsidy on exports.

In fact, a VAT does nothing either to penalize imports or subsidize exports. Since all domestically produced goods include the VAT, imposition of the tax on imports only puts imports and exports on the same footing; both are taxed equally. Similarly, while the VAT is rebated on exports, once they enter another country with a VAT the tax would again apply. Exports to countries without a VAT would be treated the same as they are now. Once again, imports and domestically produced goods would be on the same footing.

To be sure, it is certainly preferable from a trade standpoint to have a VAT instead of some other tax that is not rebatable. Some portion of corporate taxes, property taxes and other taxes paid by American businesses are obviously included in the prices of their goods and services. Insofar as companies in other countries do not pay such taxes or pay them at lower rates, they would have a competitive advantage over American firms. However, every country with a VAT also has these taxes as well, often at much higher rates than American firms pay.

Thus it is not surprising that adoption of the VAT by European countries failed to improve their trade balances. As Henry Aaron of the Brookings Institution notes in a study of the VAT in Europe: "Though much has

been made of the possible salutary effects on the balance of payments from adopting the value-added tax, there is . . . no evidence that it had any material impact on the balance of trade."

Equally misleading is the argument that is the driving force in the push for a VAT—that a VAT will improve the rate of saving. While there may be some small impact on saving from raising the cost of consumption relative to saving, the real impact on saving would come from using revenue from a VAT either to reduce the federal budget deficit or to lower taxes on capital. However, a "Hilary VAT"—a VAT dedicated to paying the health-care costs of America's uninsured citizens—will do neither. (In fact, widening the state's role as a health-care provider stands little chance of narrowing the budget deficit. Medicare and Medicaid, our two major existing state programs, have helped bring the deficit to its current level.)

Despite this, the Clinton administration will undoubtedly seek to widen support for its VAT by claiming that VAT revenues will serve two purposes—to pay for health care and to reduce the deficit. History, unfortunately, suggests that higher taxes seldom, if ever, lead to permanently lower deficits. Higher revenues simply finance higher spending. This was certainly the case in Europe.

As the figure illustrates, total taxes as a share of gross domestic product in the European Economic Community were only a little higher than in the U.S. in the mid-1960s. However, in the late 1960s virtually every country in Europe adopted a VAT. The result was that the share of taxes in national income in Europe rose steadily, year after year, while remaining relatively constant in the U.S. Taxes in Europe are now far higher than in the U.S., and most European countries continue to run budget deficits of similar magnitude to those in the U.S. as well.

While it is difficult to prove that the VAT caused taxes and spending to rise, there is strong evidence to support this view. For example, a recent study for the International Monetary Fund by David Mellor concluded that introduction of a VAT does increase the share of taxes in national income. The reason is that the introduction of a VAT, which requires collection of a tax at every stage in the manufacture of a product, builds tax bureaucracy substantially. The revenues from a cash cow like the VAT in turn build government and encourage government spending. (C. Northcote Parkinson's second law: "Expenditure rises to meet income.")

## THE ALLURE TO CLINTON

Even VAT supporters, such as Charles McLure of the Hoover Institution, concede the point: "If foreign experience is any guide, introduction of a VAT would facilitate growth in the relative size of the federal government, whether the VAT was initially introduced to raise additional revenue or only as a substitute for existing taxes."

It's not hard to see why the Clinton administration is tempted. The allure of the VAT is that it is the most efficient tax ever devised—it reduces output less per dollar raised than any other tax known. A VAT that raises the same revenue as our existing

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

tax system would certainly lead to increased growth. However, its Achilles' heel is that it invariably leads to significantly higher tax levels for everyone over time. President Reagan said a VAT "gives the government a chance to blindfold the people and grow in stature and size." The higher tax burden probably negates most of the beneficial effects of the VAT. Before the U.S. considers a VAT for health care, deficit reduction or any other purpose, there must first be some guarantee that it will not become a pure money machine for a still-wasteful government.

TRIBUTE TO A PHILADELPHIA  
ARTIST

**HON. THOMAS M. FOGLIETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise today to pay tribute to Mr. Reginald Beauchamp, for his lifetime of service to the city of Philadelphia. Donating his time, energy, and artistic talent, he has made Philadelphia a better place for all its citizens.

I best remember Reginald's fine journalistic work with the Evening and Sunday Bulletin in Philadelphia. It was always a pleasure to read any article under his byline. He has also generously donated his time to numerous other Philadelphia organizations, including the United Way, chamber of commerce, the Police Athletic League, and the Hero Scholarship Fund. The school children of Philadelphia have benefited from his creative energies as he spearheaded such programs as spelling bees, writing awards, scholastic press conferences, and the annual schools on parade showcase for Philadelphia's public and parochial schools.

Perhaps most importantly, Reginald has used his talents to beautify our great city. He has freely donated dozens of his artistic creations to all areas of Philadelphia both for esthetics and to honor numerous causes important to the community.

For all of his dedication to making the Philadelphia community a better place, I stand with his family, friends, and all the citizens of Philadelphia in honoring Richard Beauchamp. He is an example to us all.

TRIBUTE TO 1993 COMMUNITY DEVELOPMENT WEEK IN COOK COUNTY, IL

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize National Community Development Week which took place the week of April 5-11, 1993. Cook County, IL, is an active participant in the Community Development Block Grant [CDBG] Program which funds numerous social services, economic development, and housing programs in this community located within the Third Congressional District of Illinois.

Cook County, IL, recognizes that the Community Development Block Grant Program is a

solid partnership of Federal, local government, nonprofit, and community efforts. The services funded by the Federal CDBG Program, administered by the local governments and often delivered by local nonprofit organizations, relies heavily on the dedication and good will of all these combined efforts.

During National Community Development Week 1993, the residents of Cook County, IL, gave special thanks and recognition to all participants whose hard work and devotion to their neighborhoods and their residents help ensure the quality and effectiveness of the Community Development Block Grant Program.

Today, I would like to take this opportunity to acknowledge the outstanding work being done, both locally and nationally, by the Community Development Block Grant Program. I am sure that my colleagues join me in recognizing this worthwhile program and the great job that has been done all over the Nation and specifically in Cook County, IL.

JEANNETTE HERBERT, GOOD  
SAMARITAN

**HON. RICHARD E. NEAL**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to share the news of an award being given to a truly remarkable woman. Jeannette Herbert of Bellingham, MA, will be honored as Senior Mother of the Year in a ceremony Sunday, May 2, 1993.

For those who know Mrs. Herbert this recognition should come as no surprise. For the past 15 years of her retirement she has devoted all of her efforts to aiding the poor through the Edmundite Missions, a Catholic nonprofit organization based in Selma, AL.

Mrs. Herbert mails clothing and other goods three times a year to the mission. At Christmastime, she includes dolls and toys in her mailing. Jeannette became familiar with the Edmundite Missions when she was a young girl in Vermont.

Although she has spent many years helping the people at the mission, she only recently visited Selma. There she saw firsthand the effects of poverty and her efforts to help these people. She went back to Bellingham more determined than ever to aid these people in Selma.

Mr. Speaker, please join me in wishing congratulations to Mrs. Herbert for this well deserved award. May she continue her goal of helping the truly needy of this world.

TRIBUTE TO OUR NATION'S  
REGISTERED NURSES

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. TRAFICANT. Mr. Speaker, I rise today in honor of a sector of society that makes difficult times a little bit more bearable. Mr.

Speaker, I rise to pay tribute to our Nation's registered nurses.

Mr. Speaker, the week of May 3 represents National Nurses Week. The event will celebrate the 2.1 million registered nurses in the United States. They are our largest health care resource, able to provide 60-80 percent of primary and preventative care traditionally done by physicians. And, with the aging of the American population, the demand for their cost-effective, quality care is even greater. The U.S. Department of Labor projects the creation of nearly 350,000 new jobs for registered nurses by the year 2000.

Mr. Speaker, the health care system in this country may be in trouble, but the nurses of this country have delivered a solid century worth of care under rigorous conditions and with little complaint. I commend them for their selfless efforts on behalf of their fellow citizens. I join the rest of America in honoring these consummate professionals during National Nurses Week.

A TRIBUTE TO MARTIN  
GOLDSMITH

**HON. THOMAS M. FOGLIETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise today to honor Mr. Martin Goldsmith, the recipient of this year's Anti-Defamation League Torch of Liberty Award. Mr. Goldsmith has earned this award through his almost 20 dedicated years of service to the Albert Einstein Healthcare Foundation in Philadelphia. During his tenure, Mr. Goldsmith ensured that the foundation remained true to its origins, providing quality health care to all those in need, regardless of race, ethnic origins, or ability to pay. Mr. Goldsmith's selfless dedication to the pursuit of human rights and equal opportunity for all people is the essence of what the Torch of Liberty Award embodies. Rather than living for the moment, Mr. Goldsmith has worked toward a better future for all Americans.

Therefore, I rise with Mr. Goldsmith's family, friends, and colleagues to applaud his dedication to the principals of the Albert Einstein Health Foundation, for which he has been honored with the prestigious Torch of Liberty Award. The Philadelphia community is honored by his longtime service.

TRIBUTE TO MARIA HIGH SCHOOL  
MUSIC STUDENTS

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to a group of young ladies from Maria High School in Chicago, IL. Recently, six students participated in the Northshore Concert Band and Northwestern University Festival of Music which took place on Saturday, March 20, 1993, at the Regenstein Music Center at Northwestern's campus in Evanston, IL.



Monica Jendzio, senior; Audra Prialgauskas, sophomore; Amy Simmons, sophomore; and Katie Uznanski, freshman, each won First Division Medals. The girls are instructed by Maria's flute teacher, Miss Anna Belle O'Shea. In addition, Monica Jendzio received a First Division Medal for piano.

Amy Fiedor, senior, and Denise Mickalski, junior, won First Division Medals in the vocal section guided by their instructor, Sister Theresa Papsis.

Mr. Speaker, I would like to congratulate these students for their fine performances and I wish them all the best for the years to come.

**JUDGE FRANCIS J. LARKIN,  
PUBLIC SERVANT**

**HON. RICHARD E. NEAL**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. NEAL of Massachusetts. Mr. Speaker, it is with great pleasure that I rise to pay tribute to a man who has been a shining light in the judicial sector of this Nation. It is with great pride that we honor Judge Francis J. Larkin, a man who has accomplished great things as a judge, an educator, and in his church community.

Francis J. Larkin, a native of Milford, MA, graduated from Holy Cross College in 1954, and went on to attend the Georgetown University Law Center where he graduated with honors. Upon graduation, he was immediately appointed to the faculty and received a master of laws degree in 1958.

Subsequently, Judge Larkin joined the U.S. Army and served 3 years as a member of the Army's Judge Advocate General's Corps, leaving active duty in 1961 with the Secretary of the Army's Commendation Medal. Francis has remained active in the Army Reserve since his separation from active duty and presently holds the rank of colonel. He is the senior U.S. Army Reservist trial judge and has lectured widely, in this country and in Europe, on trends and developments in military law.

Following his discharge from the service, he served as a clerk with the Honorable John Hartigan on the U.S. Circuit Court of Appeals for the First District. In 1963 he was asked to join the faculty at the Boston College Law School as assistant dean and assistant professor of law, being promoted later to associate dean, and full professor.

Judge Larkin served 22 years as a member of the Trial Court of the Commonwealth of Massachusetts [Milford District Court] and as a member of the appellate division of the district court department. For over 15 years he has edited the Judges Journal, the national publication of the Judicial Administration Division of the ABA. Under Judge Larkin's leadership this journal has won several notable national awards.

By appointment of the president of the American Bar Association, Judge Larkin currently serves as chairman of the ABA's standing committee on association communications. In this capacity he has led the committee charged with coordinating all Law Day-U.S.A. events throughout the Nation. In 1991, he was

invited by President Bush to the White House to attend the formal signing of the official Law Day Proclamation.

Judge Larkin is a member of the ABA's 60-member executive-nominating-committee which is responsible for the selection of the president of the American Bar Association and its other officers. He has served on the faculty of Anna Maria College and, in recent years, has taught at the National College of the Judiciary, at Reno, the Army's Judge Advocate General's School at Charlottesville, VA, and the Naval Justice School at Newport, RI.

On November 1, 1992, Judge Larkin received the Distinguished Jurist Award and Medal of the St. Thomas More Society of the Worcester County Bar Association. He has been chosen as a Knight of the Holy Sepulcher and is a patron of the Vatican Art Museum.

For more than 20 years, Judge Larkin has been a member of the board of directors of Catholic Charities of the Archdiocese of Boston. On January 15, 1993, he was invested in the American Association of the Master Knights of the Sovereign Military Order of Malta in New York. It is the highest honor bestowed from the Vatican in Rome, Italy.

Mr. Speaker, I salute Judge Francis J. Larkin for his many years of service to the community as an educator and a judge. Francis is a man who has given of himself through his integrity, his talents, and his church. Mr. Speaker, today we honor Judge Francis J. Larkin, a model public servant who, throughout his career, has contributed tremendously to the justice system in this Nation and aided our understanding of it.

**TRIBUTE TO WILLIAM DOWD  
PACKARD**

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. TRAFICANT. Mr. Speaker, I rise in honor of a man with a dream when it came to music. He loved marches, military music, and the men who played it. But, Mr. Speaker, most importantly, William Dowd Packard loved the city of Warren, OH.

Mr. Speaker, when Mr. Packard wrote his will in 1920—3 years before his death—he made sure that his dream of keeping music alive in Warren would come true after he had passed on. Now, 70 years later, his dream has become an important part of the cultural and entertainment life in the Warren area.

Mr. Packard and his brother formed a company in 1890 to produce incandescent carbon-arc lamps and transformers. In 1899, they built the first automobile bearing the Packard name—a car which quickly became a respected name in the automotive industry. It also led to Packard developing a new product, automotive ignition cable. In 1903, the automobile business was moved to Detroit, but the cable and manufacturing business remained in Warren. The Packard Electric Division of General Motors Corp. is still one of the area's largest employers. Mr. Packard's commitment to his community was evident in 1911, when he

gave land to the city of Warren from the family property to be used as a park, replete with ponds, shelter houses, and gardens.

In his will, Packard designated that funds would be set aside in a trust to build a music hall and finance the establishment of a band to play in it for the "edification and entertainment of the people of Warren." The Packard Music Hall officially opened October 15, 1955, at a cost of \$1.4 million.

Today, the hall is the center of cultural and entertainment programs in the Warren area. It has hosted everything from wedding receptions and small gatherings to gala balls and, of course, the free Packard Band concerts. For two decades the hall gained national recognition as the home of the Kenley Players. It also served as a temporary home for hundreds of Warren residents who were flooded out of their homes in 1959.

Mr. Speaker, W.D. Packard gave a community in my district a gift which will last a lifetime. If it is true that music feeds the soul, Warren has been truly enriched.

**TRIBUTE TO LEON S. COHAN**

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. DINGELL. Mr. Speaker, I am pleased and honored to pay tribute, on behalf of my Michigan colleagues, to Leon S. Cohan on his impending retirement from the Detroit Edison Co.

On May 31, 1993, Leon ends a long and successful career divided between public service—as the longest-serving deputy attorney general in Michigan history—and private industry, where he has been Detroit Edison's general counsel, a trusted advisor to three chief executive officers, and the founder and guiding force behind his company's government relations organization. This organization, under Leon's guidance, has given valuable assistance to my colleagues in the Congress as we have struggled with difficult energy legislation over recent decades. Leon's influence was always evident in the honesty and candor of Detroit Edison testimony and in the integrity of the responses provided to our information requests.

But perhaps Leon Cohan's greatest contribution to the community has been as a committed private citizen. The makeup of this dear man is reflected perfectly in the causes to which he has been committed and the passion with which he has pursued them: Racial and religious harmony and respect for all people; support for the arts so that their benefits might be available to all; ethics in our government institutions and leaders; and research to treat and end the horrible disease of cancer.

Leon has dedicated himself to bringing people of diverse backgrounds and deep-seated suspicions together—as a member of the Race Relations Council of Metropolitan Detroit, as three-term president of the Jewish Community Center of Metropolitan Detroit, and as one who has always been ready to mediate differences. His service in this regard has been recognized with: The NAACP-Detroit

Branch's Judge Ira W. Jayne Award, given annually to a person outside the black community who has given outstanding service that builds and benefits all segments of the Detroit community; the Israel Histadrut Menorah Award for leadership and achievements; the Fellowship Award of the American Arabic and Jewish Friends of Metropolitan Detroit; the Knights of Charity Award from the Pontifical Institute for Foreign Missions; the Judge Learned Hand Award, from the Institute of Human Relations of the American Jewish Committee, for outstanding service that has benefited the community; and election to the international Heritage Hall of Fame by the Friends of the International Institute of Metropolitan Detroit.

In support of the arts, he has served as: chairman of the Michigan Council for the Arts; a member of the Arts Commission of the City of Detroit, which is the governing body of the Detroit Institute of Arts; director of the University of Michigan Musical Society; director of the Concerned Citizens for the Arts in Michigan; and, most recently, founder and president of the Arts Action Alliance.

In recognition of his outstanding contributions he has received the Governor's Arts Award for Civic Leadership in the Arts.

Leon received a gubernatorial appointment to the State Board of Ethics in 1973 and served with distinction on that board for nearly 20 years, the last 5 as chairman.

In fighting cancer he served three terms as chairman of the board of trustees of the Michigan Cancer Foundation and was honored by the foundation with lifetime membership on its board.

Leon has received the Distinguished Alumni Award from the Wayne State University Law School and the Distinguished Service Award of the Wayne State University Board of Governors.

Earlier this month he was named a "Michiganian of the Year" by the Detroit News.

Leon also has been a friend and mentor to scores of men and women in government service, in industry and in their personal lives. Many are now in leadership roles throughout our Nation. I dare say that everyone who has been touched by Leon Cohan has been a better person for it.

I am pleased and honored to pay these respects to a dedicated servant of the community and my good friend, Leon Cohan.

GOVERNMENT IS BEST WHICH GOVERNS LEAST

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. SOLOMON. Mr. Speaker, every once in a while we encounter a newspaper column which, in a mere few words, gets right to the bottom of what's gone wrong in this country.

Thomas Sowell's recent column about the unwarranted growth of the Federal Government was printed in the April 24 Albany Times-Union, the largest daily newspaper in our district.

The record of history is clear, Sowell writes. The growth of government is the worst thing that could happen to a nation. But I will let Sowell speak for himself.

GOVERNMENT IS BEST WHICH GOVERNS LEAST

There was a special irony in President Clinton's talk on the occasion of the 150th anniversary of the birth of Thomas Jefferson. Although Slick Willie tried to suggest that Jefferson would be supporting his programs if he were alive today, it was Jefferson who said: "That government is best which governs least."

Obviously, the Clintons believe that that government is best which governs most—which fixes prices, raises taxes, and mandates all sorts of programs on all sorts of businesses and professions.

History is all on the side of Jefferson, however.

Many of the great intellectual, scientific, and technological advances which we associate with the West originated in fact in Asia. But much of Asia had far more powerful governments, controlling much larger regions, than the governments of medieval Europe. The net result was that the stifling influence of government control was much less effective in Europe, which took many of these Asian discoveries and inventions and developed them far beyond the levels reached in the lands where they originated.

China, for example, had clocks before Europe and for some time its clocks were more advanced than those of Europe. However, the Chinese government kept these clocks for itself and did not let them out among the masses. In Europe, however, no government of that era covered as vast an area as the Chinese empire, nor was its control as secure and pervasive where it did govern.

There was no way for the anointed to keep the clock to themselves in medieval Europe. Cities and towns began building clock towers all over the continent. As they competed with one another for distinction, numerous little improvements were made here and there—and eventually clocks in Europe became better than clocks in China.

Whether in Europe or Asia, governments love to control things. Asia, however, had the misfortune to develop large and strong governments before Europe—which is to say, they could stifle their own people's creativity more effectively than European governments could.

Sometimes governments in Asia and the Middle East were wise enough to ease up on their people, in order to promote prosperity and increase the government's revenue without having to raise the tax rates. But what required wisdom in Asia often required only insufficient government power in medieval Europe, where fragmented sovereignties resulted from feudal barons and the competing power of the Catholic church, later further fragmented by the rise of Protestantism.

By and large, governments governed less in medieval Western Europe than in China, India, or the Ottoman Empire because they had no choice. European governments had price controls, protectionism, and all sorts of other monkeying with the economy centuries ago—just what the Clinton administration wants to do today in the name of "change"—but fortunately many of these government controls were more easily evaded in those days.

In many parts of Europe, elements of the free market came into existence long before Adam Smith came along in the eighteenth century to expose the economics fallacies and political chicanery behind government economic controls.

Where government controls have been effective—whether in Europe, Asia, Africa, or the Western Hemisphere—they have been devastating in their impact. High taxes, economic controls, and price-fixing have left wrecked economies and hungry people in their wake for hundreds of years and among people of every color, language, and religion.

Even today, Russia faces an economic crisis because it has not allowed free market institutions to develop. In terms of its natural resources, including oil and gold, Russia is one of the richest countries on earth. But no one in his right mind would invest the billions of dollars needed to develop that wealth without being assured of property rights and freedom from confiscatory taxation and nationalization policies.

The same is true in much of the Third World, where people are living in poverty on top of immense mineral wealth and in the midst of fertile land and favorable climates.

The only clear beneficiaries of activist government policies are the people in government, whose egos are allowed full play, to use the rest of the people as guinea pigs for their bright ideas and social experiments.

There was a reason why Thomas Jefferson said, "That government is best which governs least." Unfortunately, there are also reasons why petty egotists like Bill Clinton and Hillary want to get their hands on the levers of power and run our lives for us.

POLL WORKERS HONORED

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GALLO. Mr. Speaker, every time an election is held anywhere in America, our local election officials rely on the services of scores of men and women—many of them senior citizens—to staff the polling places and ensure the integrity and fairness of the election process.

Each dedicated poll worker puts in a very long day and receives minimal pay for their work. Every poll worker I've ever met was working at the polling place out of a sense of civic duty and patriotism. We could not run our democracy without these people.

But, since 1991, in accordance with the 1990 Budget Reconciliation Act, any poll worker who receives more than \$100 a year in compensation—and that is most of them—is subject to 7.65 percent Social Security [FICA] withholding tax. Those who work at the polls are offended by this petty bureaucratic exercise—and I don't blame them.

Many poll workers are resigning rather than pay this tax. One wrote to a local election official in my district, saying:

As a senior citizen who has worked on the polls for many years I must protest the tax taken from my pittance called salary. \* \* \* I am 79 years old and have no deduction. This tax was taken from my non-taxable funds. If this policy is to continue, I have worked my last election.

Another wrote:

You can count me out in the future if this is the way it is to be. We get little enough for 14 hours whether we're busy or not. Most of us are senior citizens who really are volunteering our time and effort—and then we



are to pay tax on it or even have to go through the process of getting a refund? Not this volunteer.

I believe it's time to show our election day poll workers that we respect and appreciate the contribution they are making to help our democracy work. That is why I am today introducing legislation that would exempt election day workers from FICA withholding.

I urge my colleagues to join me by cosponsoring this much-needed legislation.

#### A TRIBUTE TO 50 YEARS OF HAPPINESS

#### HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise today to help celebrate the 50th wedding anniversary of James and Eunice Lee Banks Brodie, residents of Chester, PA. Joined in holy matrimony on April 15, 1943, James and Eunice help us to reaffirm our faith in the sanctity of marriage, and remind us of the true meaning of the word commitment. Along with their two daughters, Eunice Paulette and Valerie, they have formed a stable, loving, and lasting family, at a time when the American family is supposedly in decline.

So on this wonderful day, I rise with the friends and family of James and Eunice Brodie to celebrate their golden anniversary and wish them many more happy anniversaries in the future.

#### TRIBUTE TO ENID TOUHY

#### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. LIPINSKI. Mr. Speaker, I rise today with a sense of loss after the death of Enid Touhy. Mrs. Touhy was a resident of the Third Congressional District of Illinois.

Mrs. Touhy's entire life was simply about caring, helping, and giving. She was a friend or a mother to nearly everyone she touched. Perhaps the childhood she spent in an orphanage fostered her sensitivity toward others. Enid taught all those with whom she came in contact how to live by example. Her constant acts of kindness were overwhelming and her gentleness of spirit was a source of sunshine to all those who knew her.

We remember Enid today, and all the wonderful things she contributed to our community. Her presence in our lives will be deeply missed.

Enid is survived by her six children: Kathy, Tim, John, Dan, Sue, and Pat.

Mr. Speaker, as I rise today to recognize Enid Touhy, I wish to honor the memory of this exceptional woman. I hope my colleagues will join me and my constituents in saluting her.

#### SPRINGFIELD PUBLIC SCHOOLS TOM RUSSO HONORED AS EAST- ERN DISTRICT ATHLETIC DIRECTOR OF THE YEAR

#### HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. NEAL of Massachusetts. Mr. Speaker, being an educator is one of the most important professions. As a former educator I rise today to pay tribute to an outstanding resident of my district, Mr. Tom Russo.

Springfield resident Thomas Russo was honored on March 22, 1993 as the eastern regional winner of the National Council of Secondary Schools [NCSSAD] award program by the National Association for Sport and Physical Education [NASPE] at its national convention in Washington, DC. At the convention, Mr. Russo competed with four other district winners from around the country for the National Athletic Director of the Year Award.

The list of Tom Russo's accomplishments is long and impressive. Besides his serving the Springfield Public Schools as supervisor of athletics for the past 16 years, Mr. Russo recently completed his term as president of the Massachusetts Interscholastic Athletic Administrators Association. He is also a member of the District F Athletic Directors Association, Massachusetts Secondary Schools Athletic Directors Association, and Pioneer Valley Interscholastic Athletic Conference executive board.

Besides being an outstanding educator and administrator of athletic programs, Tom Russo has made his life an example to others as a person who gives to his school and community. In his hours of tireless and selfless work he has improved the lives of students who learn that teamwork extends into their lives, and does not end on the playing field.

Mr. Speaker, I salute Tom Russo for his dedication to school athletics and the students who compete in them; and congratulate him on being honored with the National Council of Secondary Schools Athletic Directors Award.

#### LEGISLATION TO REVIEW MOTOR VEHICLE WEIGHT LIMITATIONS, THE STATE OF OHIO

#### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to direct the Secretary of Transportation to review the Federal and State commercial motor vehicle weight limitations applicable to Federal-aid highways in the State of Ohio. Under this legislation, if the Secretary of Transportation determines, on the basis of his review, that it is in the public interest, the Secretary shall waive application of the vehicle weight limitations of section 127(a) of title 23, United States Code in the State of Ohio for short wheel-base vehicles for such period as the Secretary determines may be necessary to permit a reasonable period of

depreciation for short wheel-base vehicles purchased before October 1, 1991. These limitations were approved by Congress as part of the Intermodal Surface Transportation Efficiency Act [ISTEA] of 1991. The bill would also provide a moratorium on the withholding of any Federal highway money to the State of Ohio until the Secretary makes a determination on whether or not to grant Ohio a waiver.

Mr. Speaker, failure to approve this measure will have a damaging impact on Ohio's trucking industry. Following the enactment of ISTEA on October 1, 1991, Ohio was required to adopt the motor vehicle weight limitations of the Federal bridge formula by October 1, 1992, or face losing its apportionment of Federal highway funds. The Ohio Department of Transportation issued 8-month temporary permits to those trucking companies with equipment not in compliance with the new weight limitations. These permits expire at the end of May 1993.

According to the Ohio Trucking Association, 10,000 trucks in Ohio are affected by the new weight limitations. Under the Federal bridge formula, many Ohio trucking companies will have to underload their vehicles—damaging their profits in an industry that already has a narrow profit margin of about 2 percent.

The trucking companies affected made decisions—prior to enactment of ISTEA—to purchase equipment based on what Ohio law was at the time of the purchase. Since Ohio has been forced to adopt the Federal bridge formula, companies that made purchases of legal equipment now find that much of their equipment no longer meets State standards. It is only fair that these companies be allowed a reasonable period of time to depreciate this equipment, before being forced to purchase new equipment or make alterations on their existing vehicle fleet.

Many of these trucking companies not only ordered equipment prior to the implementation of the law, they also signed contracts to move a specific amount of freight at a given price. If a waiver is not granted, as of June 1, 1993 these companies will no longer be able to move that freight for the price they contracted for.

Mr. Speaker, the bottom line is, if a reasonable phase-in period is not granted, numerous trucking companies in Ohio will be driven out of business. Approval of this legislation will save jobs and ensure that trucking companies are not unfairly penalized. I urge all of my colleagues to support this legislation.

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. VEHICLE WEIGHT LIMITATIONS IN THE STATE OF OHIO.

(a) REVIEW.—The Secretary of Transportation shall review the Federal and State commercial motor vehicle weight limitations applicable to Federal-aid highways in the State of Ohio.

(b) WAIVER AUTHORITY.—If the Secretary of Transportation determines, on the basis of the review conducted under subsection (a), that it is in the public interest, the Secretary shall waive application of the vehicle weight limitations of section 127(a) of title 23, United States Code, in whole or in part, to highways on the Dwight D. Eisenhower System of Interstate and Defense Highways

in the State of Ohio for short wheel-base vehicles for such period as the Secretary determines may be necessary to permit a reasonable period of depreciation for short wheel-base vehicles purchased before October 1, 1991.

(c) **MORATORIUM ON WITHHOLDING OF FUNDS.**—Until the Secretary of Transportation makes a determination relating to public interest under subsection (b), the Secretary shall not withhold funds under section 127(a) of title 23, United States Code, from apportionment to the State of Ohio for failure to comply with such section.

#### SEC. 2. TECHNICAL AMENDMENT.

Section 127(d)(1)(E) of title 23, United States Code, is amended by striking "July 5, 1991" and inserting "July 6, 1991".

### HEARST COLUMN ON VAT TELLS IT LIKE IT IS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. SOLOMON. Mr. Speaker, I've been warning constituents in the 22d District of New York about the so-called "value-added" tax, or VAT, and I hope other Members are doing the same thing.

The best analysis I've seen of the VAT is the recent column of publishing giant William Randolph Hearst, Jr. It was printed last Sunday, April 25, in the Albany Times-Union, the largest daily in our district. I urge all Members to read it, because once you do, you will find it hard to support this ill-conceived plan to burden the already hard-pressed American taxpayer.

#### VAT TAX WILL DAMAGE THE U.S. ECONOMY

(By William Randolph Hearst, Jr.)

NEW YORK.—My experience has been to watch out when government officials promise that a proposed new tax will be applied in a way that causes the least possible pain.

So I'm skeptical about assurances that the so-called value-added tax, if enacted into law, would be light and wouldn't be imposed on many necessities like food.

Taxes, once on the books, tend not only to stay there but to become wider in scope. I think this would especially turn out to be the case for a "hidden" levy like the value-added tax which people are rarely conscious they are paying.

During the past few months, I've devoted a couple of these columns to the issue of the value-added tax or, as it is called for short, the VAT. I thought I was done with the matter because President Clinton, after due consideration, seemed to agree with me that it was a bad idea and to have dropped it as a possible method of financing the administration's health care reforms.

But now reports from Washington suggest that he has changed his mind and is giving the VAT another look. This has led me to return to the subject one more time, even at the risk of boring some of my readers. In my view, the issue is just too important for Americans to be ignored.

The value-added tax has existed in Western Europe, first in France and then the rest of the European Community, for the past 40 years. My informants over there tell me that everywhere it has been imposed it has led to an immediate leap in the prices ordinary

people pay for practically everything. They say that thereafter it also has been a major contributor to the persistent inflation that most of Europe has suffered from—inflation much more severe than our own.

Those who are advocating a VAT for this country like to describe it as just another form of sales tax. They argue that, since we already have state and city sales taxes, a new one at the federal level would not be all that new or different.

However, Bernard D. Kaplan, who writes on international affairs for our newspapers from Paris, reminded me in a memo last week that the VAT is far more than a simple sales tax. What it really represents, he pointed out, is a wholly new philosophy of taxation, unknown up to now in America.

The VAT taxes goods at every stage of production from raw material to finished product and, then, slaps on the tax one last time to the consumer. In Europe, it has also come to be imposed on most forms of services. Electricians and plumbers are obliged to add a VAT to their bills.

The average VAT rate over there is 15 per cent. In some countries and on some items, it's twice that. The first thing that European governments tend to do when they find themselves in financial straits is to hike the VAT rate and extend it to more things. The British government did just that last month.

Kaplan tells me that European bureaucrats think VAT is the greatest tax ever invented. It's virtually evasion-proof. But, more important from the government's point of view, taxpayers are usually unaware of how much value-added tax they're actually paying. Unlike our sales taxes, the amount that the VAT adds to the overall cost of a car or a box of cornflakes is never clearly specified in the final bill.

Western Europe's high production costs have increasingly handicapped its exports. Its share of world markets has been shrinking. Kaplan says a growing number of European economists put at least some of the blame for this on the inflationary pressures caused by the VAT system.

By contrast, America's well-contained inflation and relatively low-cost production have been major factors in the remarkable expansion of our exports in recent years.

A more effective and fairer system of health care for all Americans has to be created and paid for. No argument exists about that.

But it would be self-defeating, to say the least, to finance health care reform through a form of taxation that would ultimately damage the U.S. economy. A VAT is not the right prescription. It's bad medicine.

#### THE BASE CLOSURE PROCESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, April 7, 1993, into the CONGRESSIONAL RECORD:

#### THE BASE CLOSURE PROCESS

The base closure process for 1993 is now under way. It is the third round of closings since 1988. The 1988 and 1991 lists closed, in part or in whole, 125 military installations, including the Jefferson Proving Ground, Grissom Air Force Base and Ft. Benjamin

Harrison in Indiana. The Indiana Army Ammunition Plant has been inactivated outside the formal base closure process. This year's list will be followed, under current law, by a final round in 1995.

What has been proposed? Defense Secretary Aspin recommended on March 12, 1993 that 31 major military installations be closed and that 12 others be realigned to support a smaller and less costly force structure. In addition, Aspin announced recommendations for the closure, realignment and disestablishment of 122 other small bases and activities. This round of base closures and realignments is projected to save \$3.1 billion per year starting in 2000 and reduce DOD employment by 24,000 military and 57,000 civilian personnel nationwide.

Why were these recommendations made? Secretary Aspin said these closures are necessary because there is no way to downsize the military without closing military bases. Thus far, base closures have not kept pace with the overall reductions in defense. The defense budget will decline by more than 40% from 1985 to 1997, and military personnel in the U.S. will be reduced by about 30%. In contrast, base closings agreed to in 1988 and 1991 will reduce the domestic base structure by 9%. Aspin's proposals would raise that figure to 15%.

What is the closure process? Secretary Aspin's closure list will undergo a vigorous review process. A bi-partisan Base Closure and Realignment Commission is now holding hearings on the list; the list will also be analyzed by the General Accounting Office. The Base Closure Commission will report to President Clinton with its own set of recommendations by July 1. The President will then have until July 15 to accept or reject the Commission's findings. If the list is rejected, the Commission will have until August 15 to submit a second list to the President. If the President accepts the original or revised list, he will then submit the list to Congress. From that point, Congress will have 45 days to consider the recommendations and reject them by joint resolution if it so chooses. If Congress does not act, or the resolution fails in either house, the Secretary of Defense may proceed with the base closings.

What is the impact on the 9th District? The 9th District would not be affected by Aspin's recommendations. Crane and the Naval Ordnance Station are not on the list.

What is the impact on Indiana? The proposed closures and realignments would have a minor impact on Indiana. Aspin would close a Defense Information Systems Agency site in Indianapolis and reserve centers in Terre Haute and Fort Wayne. Overall, Indiana will lose 206 personnel. In contrast, California would lose about 31,000 personnel; South Carolina about 10,000; and Virginia about 8,000. Indiana was hit hard in previous closure rounds, and the state will lose over 13,000 military jobs and more than \$200 million in annual output and earnings.

What is the status of the DFAS competition? Evansville and Indianapolis were among the 20 finalists in the Defense Department's competition for Defense Finance and Accounting Service (DFAS) centers. Aspin decided to suspend the competition because he thought it would be unfair to "transfer from the federal government to local taxpayers the burden of financing facilities used by DOD." For the time being DFAS operations will continue at the existing five large centers—including Indianapolis—as Aspin reviews the issue.

What is the impact on overseas bases? Current law does not allow Secretary Aspin to



include overseas bases on his closure list. However, since January 1990, the Department of Defense, in consultation with host nations, has undertaken plans to end or reduce its operations at 629 overseas installations, a reduction of 35 percent.

How will workers and communities be helped? President Clinton has proposed spending \$1.8 billion this year and \$20 billion over the next four years on defense conversion programs. This year's package would provide \$375 million for transition assistance, employment services and job training. It would also provide over \$100 million in economic adjustment assistance for communities adversely affected by cuts in defense spending.

What about cleanup problems? Many closing installations like JPG have major environmental problems which can hamper or delay community plans for reuse. Congress approved legislation last year that will expedite the release of clean parcels of land at contaminated bases. Congress has also appropriated \$830 million to clean up closing bases—although overall cleanup costs for active and closing bases will likely exceed \$35 billion. A recent study found that the cleanup costs for JPG alone range from \$1-8 billion depending on the level of reuse.

What is happening at JPG? JPG was included on the 1988 base closure list. JPG is slated to close in 1995, but testing will cease at the base in 1994. JPG employees are being offered transition assistance. The JPG Redevelopment Board is planning for reuses of the installation after closure. Possible reuses might include: commercial use of the buildings in the 3,000 acre cantonment area; use of the firing ranges by a private contractor; expanded use of the facility by the Indiana Guard; commercial use of a resurfaced airfield at JPG; and use of the northern portion of the base as a nature preserve/recreation area. I am also working on securing funding for cleanup activities at JPG.

What is happening at INAAP? The ammo plant was inactivated last year. The workforce has been cut from 1,000 to 200, who are assisting with layaway activities. The workforce will be trimmed to less than 100 people later this year. ICI, the plant contractor, recently signed an Army contract that will allow ICI to secure and maintain the facility, bid on available Army and third party production work, and use the resources at the installation for possible non-military work. Congress approved \$200 million in last year's defense law for the Armament Retooling and Manufacturing Support (ARMS) Initiative, a new program designed to help develop new business and job opportunities at ammunition plants like INAAP. The ARMS program provides various incentives for industry to use government owned facilities for military and non-military commercial manufacturing. I have also supported the establishment of a state park on the northern end of the plant.

#### TRIBUTE TO BOB VANDENBERGH

##### HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to Mr. Bob Vandenberg for being named 1993 Clinton Township Goodfellow of the Year. Mr. Vandenberg was selected for this award because of his outstanding con-

tributions to the Goodfellows and our community.

Mr. Vandenberg has been deeply involved in our community. He is a member of the Central Macomb County Chamber of Commerce, the Economic Club of Macomb County, the Wayne State University Alumni Association, and the Michigan Mortuary Science Foundation. He frequently speaks to schools, churches, and civic organizations about funeral-related topics. He is also a speaker for the volunteer training program for the St. Joseph Mercy Hospital Hospice Program.

Mr. Vandenberg has been recognized by being awarded the Pursuit of Excellence Award in 1991 and 1993. This is a national award given for outstanding excellence in community service, public relations programs, training, and continuing education.

In addition to his career and his contribution to the community through various community organizations, Mr. Vandenberg is an avid boater. He has been seriously racing boats for 22 years and has participated in 14 Port Huron to Mackinac races.

I ask my colleagues to join me in saluting Mr. Bob Vandenberg. He has demonstrated his commitment to our community. I congratulate Mr. Vandenberg on being named 1993 Clinton Township Goodfellow of the Year.

#### JOPLIN HIGH SCHOOL TO COMPETE IN WE THE PEOPLE . . . THE CITIZENS AND CONSTITUTION PROGRAM

##### HON. MEL HANCOCK

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. HANCOCK. Mr. Speaker, on May 1-3, more than 1,200 students from 47 States and the District of Columbia will be in our Nation's Capital to compete in the national finals of We the People . . . The Citizen and the Constitution Program. I am proud to announce that the class from Joplin High School in Joplin, MO, will represent Missouri's Seventh Congressional District for the fourth time. These young scholars have worked diligently to reach the national finals again by winning district and State competitions. The distinguished members of the team representing Missouri are:

David Alford, James Bacus, Seth Baldwin, Angela Cook, Heather Daggett, Stuart Eastman, Emily Esch, Mitsi Gough, Andrew Grabau, Katherine Grote, Beth Hinman, Jennifer Hurn, Jesse Kluthe, Gabe Lett, Debbie Newman, Jill Rauk, Tracy Rentz, Rachel Sage, John Smith, Rikki Smith, Sammie Smith, Ryan Stanley, Brian Taylor, Lisa Thompson, Marian Trewin, Shane Vau Dalsam, Ngobich Vo, Scotty Vorhees, Margot Walters, and David White.

I would also like to recognize their teacher, Barbara Arnold, who deserves much of the credit for the success of the team. The district coordinator, Kelvin Camerer, and the State coordinator Terry Taylor, have also contributed a great deal of time and effort to help the team reach the national finals.

The We the People . . . The Citizen and the Constitution Program, supported by Congress,

is the most extensive educational program in the country developed especially to educate young people about the Constitution and the Bill of Rights. The 3-day academic competition simulates a congressional hearing. Students, acting as expert witnesses, testify before a panel of prominent professionals from around the country to demonstrate their knowledge of constitutional issues. Administered by the Center for Civic Education, the program, now in its sixth year, has reached over 12,000,000 students in 21,490 elementary, middle, and high schools nationwide.

The program provides an excellent opportunity for students to gain an appreciation of the significance of our Constitution and its place in our history and our lives today. I am proud of these students representing southwest Missouri and commend them and their teacher for their hard work. I wish them the best of luck in this competition—and a bright future thereafter.

#### TRIBUTE TO RIGOBERTA MENCHU

##### HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. PORTER. Mr. Speaker, I would like to pay tribute to Rigoberta Menchu, the winner of the Nobel Peace Prize in 1992. Ms. Menchu, a Quiche Indian woman from Guatemala, has endured great tragedy in her life which has led her to become an advocate of human rights and the rights of indigenous peoples in Guatemala. The recognition she has received as a spokesperson for the rights of indigenous peoples has provided an example to others in search of a way to work peacefully to secure their rights.

Ms. Menchu worked with her family as a day laborer on coffee, cotton, and sugar plantations and later worked as a domestic servant in Guatemala City. In January 1980, her father was murdered when the Spanish Embassy was burned to the ground. Her mother and younger brother were kidnaped, tortured, and murdered shortly after her father's death. Her story is unfortunately typical of the type of political violence which plagued Guatemala in the early 1980's. This strong, courageous woman has withstood personal tragedy and has been involved in numerous efforts to call for peace and justice in Guatemala. She gained international recognition through her book, "I Rigoberta Menchu," which provides an autobiography of her family's tragic story.

In recognition of her advocacy of the cause of indigenous people in Guatemala, Ms. Menchu was awarded the Nobel Peace Prize in 1992. She has also been the recipient of many other awards, including the UNESCO Award for Peace Education. Furthermore, Ms. Menchu recently created the Vicente Menchu Foundation, in memory of her father, in order to search for peaceful solutions to armed conflicts and the promotion of human rights in particular the rights of indigenous peoples.

This year, the congressional human rights caucus, which I am proud to cochair with my colleague TOM LANTOS, is celebrating its 10-year anniversary. The caucus has been at the

forefront of congressional efforts to call attention to the issue of the human rights of indigenous peoples. The caucus has sent letters to many governments protesting the killings, death threats, and detention of native peoples who were activists in their communities. We are inspired by the courage of those, like Rigoberta Menchu, who at great personal risk, who stand up for their human rights.

Mr. Speaker, I commend Ms. Menchu for speaking out about what she, herself, has experienced in Guatemala and what many other have experienced in her country and around the world. Her efforts to draw international attention to the cause of indigenous people are truly courageous.

REV. D.W. MCFARLAND

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. HALL of Ohio. Mr. Speaker, on May 16, 1993, Rev. D.W. McFarland will retire as pastor of the Mt. Olive Baptist Church after 49 years of faithful service. He has served longer at one church than any other Baptist pastor in the city of Dayton.

In addition to his service to his church, Reverend McFarland has made valuable contributions in the Dayton area. He is past president of the Dayton Baptist Minister's Union, first chairman of the Opportunities Industrial Center, and former vice president of the NAACP Dayton branch. He also serves on the boards of directors of several community organizations including the Dayton Urban League and Dayton Human Relations Council.

Reverend McFarland is a native of Omaha, GA. He attended Payne Seminary University, Wilberforce, OH; and Simmons University, Louisville, KY. He entered the ministry in 1942 and received his appointment to become pastor of the Mount Olive Baptist Church February 7, 1944. To celebrate Reverend McFarland's retirement, the Mount Olive Baptist Church is planning a "Grand Celebration" at the Dayton Convention Center on May 15, 1993.

I offer my congratulations to Reverend McFarland and my thanks for his many years of leadership and service to his church and to the Dayton community.

A TRIBUTE TO THE SELFLESS STUDENTS OF WIDENER UNIVERSITY

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise today to recognize the dedicated work of all those involved in the Widener University Student Volunteer Services Program. Over the past 5 years, more than 1,200 university students have volunteered their time and effort to the Chester, PA, community with no other reward than their own satisfaction.

The Widener students have been involved in tutoring at homework clinics, sponsoring recreation programs on campus and at a local school, assisting at the Bernadine Food Center and Delco Blind Sight Center, and serving as Big Friends to local children. In all, these dedicated students have donated more than 16,000 hours to serving the people of Chester.

For all the hard work of the Widener students, and their altruistic devotion to the Chester community, I rise today with the people of Chester to applaud and thank them. While so many people simply talk about trying to make a difference, these young adults actually used their spare time to get involved. For this they deserve our highest praise.

TRIBUTE TO THE ST. BRENDAN LADY GOLDEN BEARS

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. TRAFICANT. Mr. Speaker, I rise here today to pay tribute to the St. Brendan Lady Golden Bears basketball team in my 17th Ohio Congressional District. This team worked hard all year and posted a perfect 16-0 record while capturing the 1992-93 Mahoning/Trumbull Catholic Conference Division I championship. This great group of female cagers also triumphed in the Mahoning/Trumbull Catholic Conference tournament.

Mr. Speaker, as an athlete who competed in high school and college, I know how hard it is to post a perfect record. This outstanding team made it look easy. The coaching staff of Jeff Rainer, head coach, and his assistants Ron Hausmann and Patty Garcar did a tremendous job. I would like to congratulate them and the team for a job well done.

Team members include: Valerie Berendt, co-captain; Rachel Block, co-captain; Teresa Haraburda; Amanda Gay; Stephanie Zalovcik; Jennifer Hagarty; Kelly Lamb; Heather Skufca; Margaret Senvisky; Melissa Valasek, manager; Kerry Lamb, manager, and Kathy Berendt, scorekeeper.

DIRECT DEMOCRACY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, April 21, 1993, into the CONGRESSIONAL RECORD:

DIRECT DEMOCRACY

Modern communications technology is transforming American politics. Fax machines, 800 telephone numbers, satellite hookups, televised town hall meetings, call-in talk shows, and interactive computer networks are making our politics more personal, more open and more direct. Last year's presidential campaign was a watershed in the use of these technologies as candidates took advantage of emerging media outlets to communicate directly and im-

mediately with voters. This trend is likely to continue.

COMMUNICATIONS AND POLITICS

Communications technology has a powerful appeal to politicians. First, it helps them get their message out to their constituencies. Politicians can no longer depend only on political parties to rally support for them. Party organizations are weaker at the state and local level than they once were, and more and more Americans now practice split-ticket voting (voting for candidates of both parties). Politicians must be more entrepreneurial in making their pitch to voters whether it means using 800 telephone numbers or televised town hall meetings.

Second, the new technology gives politicians more control over their message. The news media traditionally have played a large role in shaping the content of a candidate's message and influencing how he or she is perceived by the public. Emerging technology enables candidates to reach the public directly, with less reliance on the news media, and provides politicians with more control over what voters hear and learn.

Third, politicians can use communications to target their message to specific groups of voters. Many cable channels, for example, cater to a particular age or income group, providing candidates with an opportunity to present a message tailored specifically to that audience. Candidates still actively court general media coverage, but they now are much more aggressive in seeking out "specialized" or "niche" voting groups.

Fourth, the new technology allows politicians to give voters more information about themselves. Many voters are alienated by slick political campaigns which emphasize style over substance and offer few detailed proposals about how to deal with the country's problems. They are also cynical about the accuracy and impartiality of the news media. Hence, a candidate who appeals directly to voters by answering public questions on a call-in show can be a welcome change.

Fifth, candidates can use instantaneous communications to head off unfavorable news stories or attacks by other candidates. Both presidential campaigns watched raw satellite newsfeed transmissions to find out what stories would be broadcast later that evening. The campaigns then would prepare rebuttals to the potential stories, which could be sent by satellite across the country, even before the original story was on the air.

COMMUNICATIONS AND THE PUBLIC

The new technology has also had a profound impact on the public's involvement in the political process. Voters are not simply on the receiving end of the communications wave. They are using technology themselves to communicate more directly and more often with their political leaders.

The number of Hoosiers contacting me has increased continuously over the last 10 years. Last year I received an average of 550 constituent contacts per week, and that figure has surged to over 1,300 per week so far this year. Overall, Congress received over 4.2 million phone calls during the first five weeks of this year, compared to 1.9 million calls during a similar period in 1992. Some of the increase is attributable to voter anger or voter interest in certain issues, but new communications technology is also responsible. More and more of my mail comes from computerized post cards and form letters, as well as phone and fax contacts with my Washington and Jeffersonville offices.

Communications technology has made voters more informed about the political proc-



ess. The news available to the public concerning governmental activities—whether a congressional hearing, a campaign stop or a State Department briefing—has increased markedly. This information is available instantaneously to almost any American who has access to continuous news sources such as CNN or C-SPAN.

The technology has also given citizens a stronger voice in political decision-making. The American people learn instantly what happens in Washington from television and they tell their leaders what they think right away. Call-in talk shows and other media programs often encourage listeners to share their opinions on current and controversial events. Their views and concerns have an impact. Public concerns about Zoe Baird's failure to pay taxes for her housekeeper helped derail her bid for U.S. Attorney General. Congress received over 470,000 calls on one day, January 21, many of them in opposition to her confirmation. I always consider the contacts I receive from constituents before casting my vote on bills pending before the House.

Special interest groups have become particularly effective at using communications technology to get their views across. A small industry of experts adept at generating grassroots support phone calls, telegrams, and mail has sprung up for hire by interest groups in an attempt to immediately influence the government. The more contacts an interest group can generate, the more likely its position will receive consideration from Congress or the President. I am astonished by the number of computerized letters and postcards I receive from my constituents on very specific bills or issues.

#### CONCLUSION

I think communications technology has had a positive influence on our politics. It has made our politics more democratic, as more citizens learn about issues and candidates and get involved in the political process. This kind of interaction is part of a vigorous and healthy democracy. My only concern is that technology not overwhelm the process. Our system of government works best when citizens and their representatives can reflect on issues, then debate, discuss, and decide them. Many of the problems we face, like the budget deficit or health care costs, are extraordinarily complex. We must act to address them, but consensus on how to act can take time. I am hopeful that the new technology can serve the democratic process, and not be served by it.

#### TRIBUTE TO PAUL WOODRING

##### HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to Mr. Paul Woodring for being named 1993 Clinton Township Goodfellow of the Year. Mr. Woodring was selected for this award because of his outstanding contributions to the Goodfellows and our community.

Mr. Woodring has been deeply involved in our community. He has been active in the Goodfellows since 1981 and served as treasurer from 1987 to 1993. Currently, he is a member of the Mr. Clemens Rotary Club. He has been active in several professional organizations.

Mr. Woodring has been a leader in our community. He is a former member of the Chipewa Valley Board of Education. He is a charter director of the Clinton Township Economic Development Corp., and a former president of that organization.

Mr. Woodring graduated with a B.A. degree from Eastern Michigan University. He then received a M.A. from Michigan State University. Following a tour of duty with the U.S. Army, he became a high school mathematics teacher and then a business manager for a Flint area school district. In 1973, he was named assistant superintendent in Clintondale schools. After retiring from Clintondale, he was named chief deputy treasurer for Macomb County. He retired from that position in January 1993.

I ask my colleagues to join me in saluting Mr. Paul Woodring. He has demonstrated his commitment to our community. I congratulate Mr. Woodring on being named 1993 Clinton Township Goodfellow of the Year.

#### TRIBUTE TO THOSE WHO LOST THEIR LIVES IN EXERCISE TIGER

##### HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. SAXTON. Mr. Speaker, 49 years ago today, an ill-fated D-day dress rehearsal took place off the coast of England. An American amphibious assault force consisting of landing ship tanks was conducting invasion tactics when German warships launched a surprise attack. Two ships were sunk immediately, others suffered extensive damage.

Nine hundred and forty-six men lost their lives in this battle—the second highest death toll for the entire war, surpassed only by the attack on Pearl Harbor.

Yet, 43 years passed before any acknowledgement was given to the battle. Navy officials classified information on this top secret mission and it remained obscure. No medals of valor were awarded to the survivors.

Today, the residents of Ship Bottom, NJ, are prepared to gather and give tribute to the 946 men who lost their lives in Exercise Tiger. I join them in spirit to honor those unsung heroes who gave the ultimate sacrifice for their country.

#### TRIBUTE TO ALLAN L. BREAKIE

##### HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. FORD of Michigan. Mr. Speaker, service to one's profession and the community is to be commended. I want to pay tribute to Allan L. Breakie, who has given 40 years of service to the Garden City Hospital in Garden City, MI. Friends and coworkers will be honoring Mr. Breakie on Saturday, May 8, in a celebration of his leadership and his contributions to the osteopathic profession. I want to join with my constituents in recognizing Mr. Breakie's many achievements.

Born of Scottish ancestry on February 26, 1921, Allan Breakie attended Andrews University and California College of Medical Technicians. Mr. Breakie began his career in hospital operations during World War II when he was placed in charge of organizing and relocating Army hospitals in the Pacific theater. He gained training in technical and managerial jobs in various hospitals before becoming the Garden City Hospital administrator on February 1, 1954. Starting with a 40-bed maternity hospital, Garden City Hospital grew. In 1955, the hospital purchased the Ridgewood Hospital near Ypsilanti, MI. Out of this expansion the 100-bed acute care Ridgewood Osteopathic Hospital was established.

A new hospital was built to replace the Garden City edifice in 1960. During this decade and the 1970's 7 additions were added to Garden City Hospital increasing capacity and services to a 360-bed osteopathic facility. A medical and allied health education component was created and improved under Allan Breakie's leadership. The hospital organized its own accredited medical technologist program 8 years ago. Fifty interns and residents take part in the hospital's program; and students in allied health fields from various colleges in the area participate in clinical rotations as part of their education.

Allan Breakie is credited with responding to the needs of the marketplace in hospital administration, yet maintaining the identity of osteopathic care of Garden City Hospital in the community. The hospital became the building block for its parent company, Amerigard Health Services, owner and operator of two long-term care nursing homes, two home health agencies, a substance abuse clinic, a hospice, an industrial clinic, and physician offices. Under Mr. Breakie's leadership, these facilities enjoy the same reputation of providing quality health care as the Garden City Hospital.

Mr. Breakie has served ably in the posts he has held in the osteopathic profession. He is a fellow with the American College of Hospital Administrators and also with the American College of Osteopathic Hospital Administrators of which he is a past president. Numerous awards have been granted to Mr. Breakie for his hard work—the Distinguished Service Award from the Osteopathic College in 1974 and the Award of Merit from the American Osteopathic Hospital Association in 1988.

The tasks and posts held by Allan L. Breakie are many, but worth listing for the care put into each job. In addition to his current posts as president of the Amerigard Health Service Corporation and Garden Nursing Center, he has been the chief executive officer of the Garden City Osteopathic Hospital for 36 years. A member of the American Osteopathic Hospital Association since 1975, Mr. Breakie has served on most of its committees. As an accreditation surveyor and consultant since the late 1960s, he has also worked on AOA task forces through the years.

Mr. Breakie's service has benefited all of Michigan as an dynamic member of the Michigan Osteopathic Hospital Association. As a member of the board, he has served as president on several occasions. Mr. Breakie has sought the development of a greater osteopathic presence in the community and the

area economy. His efforts have encouraged the establishment of programs that support the medical profession in general and particularly the osteopathic physicians.

Assisting the community has been Mr. Breakie's commitment as well. He has represented the profession and the hospital in work on the board of directors of Blue Cross and Blue Shield, the Southeastern Michigan Hospital Association Board of Governors, the Michigan Hospital Association, the Southeast Michigan Hospital Council, the Southeast Michigan Health Service Agency, the Greater Detroit Area Health Council, Schoolcraft Community College, the city of Garden City, and Goodwill Industries.

A leader in his profession and a community resource, Allan L. Breakie's work is respected by the people he has worked with in making patient care a priority. Mr. Speaker, I am honored to have the opportunity to recognize the many special talents of Mr. Allan Breakie.

## VICTIMS' RIGHTS

### HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mrs. FOWLER. Mr. Speaker, I rise in support of Congressman GEKAS' resolution designating National Crime Victims' Rights Week April 25 to May 1, 1993 and I am proud to be a cosponsor of the resolution.

It may be hard to believe, but of the next six people you come in contact with, five of those people are likely to become the victim or intended victim of crime in their lifetime. And with a violent crime occurring every 17 seconds in the United States, we are all potential victims.

Victims of crime are not just statistics in police reports. They are your parents and grandparents—your brothers and sisters—your husbands, wives, and children. They are your neighbors and coworkers—people who through no fault of their own have had their lives drastically changed in a way that some of us have no way of truly comprehending unless it has happened to us.

All too often, victims of crime feel that they have no where to turn. The victims' rights movement has come a long way in changing the way in which the victims are treated. While there were only three victim service agencies in 1972, today there are more than 8,000 programs across the Nation serving people who have been victims of crime.

In Jacksonville, FL, we are proud to have a dedicated group of people who work diligently to protect and defend the rights of victims.

One of our outstanding victim rights advocates is Dr. Kara Elizabeth Mort. Dr. Mort has been tireless in her efforts with our Guardian Ad Litem Program. Taking the most difficult cases she gives countless hours dedicated to the rights of victims.

I applaud the work of Dr. Mort and all victims' rights advocates across the country.

## EXTENSIONS OF REMARKS

### FEDERAL LAND MANAGEMENT AGENCIES BILL INTRODUCED

#### HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. HANSEN. Mr. Speaker, I am today introducing a bill which will help to depoliticize and professionalize the four Federal land management agencies: National Park Service, Forest Service, Bureau of Land Management, and Fish and Wildlife Service. My bill will accomplish this by establishing 5-year terms for the agency heads and by making all four agency heads subject to Senate confirmation.

Mr. Speaker, in recent weeks we have read stories indicating that a movie actor and television star were being considered for the position of Director of the National Park Service. While recent stories have indicated that these persons were being considered because the agency currently faces a morale crisis, I would suggest that it will take more than selection of a celebrity as the Director to resolve those problems. In fact, selection of someone whose major qualification is that they have visited national parks since childhood, but who have no prior experience in Federal land management issues would in my opinion be adverse, not beneficial, to the agency and employee morale.

The media have also been replete with stories about how key slots in the administration are being selected. According to some reports, ethnic diversity, gender and political paybacks are being considered just as much as qualifications in the selection of key positions within the administration. In my view, this is wrong.

My bill would address this problem by setting professional standards as the basis for selecting all four of the agency heads. It would further ensure that agencies are able to develop and carry out their programs in a professional manner by isolating the appointment of these key positions from the Presidential election cycle.

Currently, only the heads of the Bureau of Land Management and Fish and Wildlife Service are subject to Senate confirmation. While the Senate confirmation process has in recent years focused too heavily on factors unrelated to the qualification of an individual for a particular position, overall I believe this process has merit and can see no reason for the current double standard in the selection of heads for the land management agencies.

Therefore, I hope my colleagues will join me in supporting this important measure.

## CHESTER'S CHAMPS

### HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise today to congratulate and applaud the Chester, PA, Biddy Basketball 12-year-old allstar team for their second place finish at the World Biddy Basketball Tournament in Louisiana. Leading up to the tournament, these 12 young men

competed in and won the State championship in Lebanon, PA, as well as the Plymouth ABA and Ridley Tournaments. And although they came up short in the final game of the world tournament, they displayed the teamwork, spirit, commitment, and sportsmanship of true champions.

Therefore, I join with all the citizens of Chester in saluting these young athletes: Justine Armstrong, Samuel Copeland, Larry Fain, Ronnell Green, Jalaal Harris, Najeeb Rasheed, Fareed Burton, Ramee Davis, Kevin Gandy, Lynn Greer, Jamaal Sterling, and Robert Williams. They have made us all proud.

## SMALL BUSINESS

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, April 14, 1993, into the CONGRESSIONAL RECORD:

## SMALL BUSINESS

Small business is the backbone of the American economy. It drives our economic success; it is in this sector where jobs are created and recoveries generally take off. Between 1981 and 1992, the number of small businesses grew to 21 million from 13 million, and they employ 60 percent of the nation's 99 million private sector workers. They also contribute to the economy by applying new technologies, introducing new products, serving new markets, and improving working conditions. Even so, many small businesses are facing challenges as they emerge from the recent recession.

## THE CREDIT CRUNCH

For many months now, small business owners have been coming to me and complaining that they have not been able to get financing. Repeatedly they have told me that they could expand, employ more people and improve their businesses if they had access to capital. Many reasons are given for the "credit crunch." Bankers say that new banking regulations which followed the savings and loan crisis are overly burdensome and restrictive, costing them money and impeding their ability to lend. They believe that regulatory red tape is to blame for a slowdown in bank lending that has kept small firms from getting loans they need to expand and create new jobs. Others believe that interest rates, not regulations, are to blame. While short-term rates are at historic lows, long-term rates have been relatively high. This spread has allowed banks to achieve profits simply by investing depositors' money in risk-free government securities, rather than in less secure or lower-yield investments.

## ACCESS TO CAPITAL

President Clinton unveiled a new program on March 10, 1993 to spur small business lending by reducing the paperwork needed to make certain loans, easing requirements on property appraisals, and making it easier for banks to make character loans. On March 30, 1993 the President announced a policy to implement one of these initiatives. Under this policy, which takes effect immediately, commercial banks will have the opportunity to make up to \$38 billion in character loans—loans which are based more on a borrower's



proven reliability than on rigid compliance with rules that require certain documentation and paperwork. This will allow the nation's banks to begin making loans to small business without the paperwork normally required, and to give the economy a general boost. No action is needed by the Congress. Other parts of the President's program will be implemented over the next few months.

#### SBA GUARANTEED LOANS.

The Small Business Administration (SBA) plays a role in increasing credit available for small business. SBA has evolved from a program providing direct loans to a program where bank loans, financed with private money, are backed by a government guarantee. This guarantee secures up to 90% of the loan, should the borrower default. The credit crunch has placed increased demands on this program. In response, the House recently approved an economic stimulus package that includes funding for an additional \$2.6 billion in guaranteed loans for this year. If enacted, the total level of guaranteed loans would rise to \$6.2 billion.

#### PRESIDENT'S ECONOMIC PLAN

Congress is considering the President's economic plan, which includes several proposals benefitting small business. First, he has called for an investment tax credit targeted for small business. For companies with sales of less than \$5 million, the plan proposes a permanent investment tax credit at 7% for the first two years and 5% thereafter. Second, the plan includes a targeted capital gains tax cut. For companies with less than \$50 million in capital, the President proposes a 50% capital gains tax break on newly issued stock held for five years or more. Third, the plan would create 50 enterprise zones in economically distressed areas where small businesses would qualify for certain investment incentives and employment tax credits. Other provisions of the President's plan, including a partial restoration of the passive loss deduction, the establishment of community development banks, and the development of technology extension centers could benefit small business as well.

#### SECONDARY MARKETS

Congress is also debating the merits of creating a secondary market for business loans, a market in which small-business loans could be bought and sold in much the same way that mortgage-backed securities are traded. A secondary market might work as follows: A bank that makes a loan to a small business could sell it, at a profit, to investors around the country. The cash that the bank gets from the loan would enable it to make additional loans. The secondary market would, in effect, bring more people into the business of lending to small business, while also spreading the risk of lending.

#### REGULATION

Another challenge that continues to face small business is the impact of government rules and regulation. Federal regulations do provide a certain degree of protection to individuals in the workplace and the environment, but sometimes they can be overly burdensome. A better balance must be struck. Proposals have been introduced in Congress to require federal agencies to take into account the impact and cost of their regulations on small businesses and to design ways to minimize that impact. Proposed and existing regulations should be carefully reviewed in order to eliminate those that are burdensome and outdated.

#### DEFICIT REDUCTION

Some small businesses have expressed concern about the impact of the President's def-

icit reduction plan on small business. The plan, which includes tax increases, will affect various businesses differently, and I am sympathetic to those who feel that they will be disproportionately impacted. I agree with the view that any tax increase should be broadly shared, and my preference would be to see \$2 in spending cuts for every dollar in tax increases. I will continue to work with my colleagues to achieve additional spending cuts throughout the budget process. Deficit reduction could be a big help overall to small business if it leads to lower interest rates.

#### CONCLUSION

My view is that those of us in government should try to help small businesses compete by increasing their productivity—by increasing the quality and quantity of capital their workers use, by improving their employee skills through training, by providing tax incentives to small business, and by enhancing their management skills. Ensuring that financing is available and affordable will be critical to allowing small business to achieve these goals. Because regulation can place a disproportionate burden on smaller firms, their competitiveness will also be affected by the regulatory climate. Small firms must also continue to do what they do best—experiment with new products and process innovations—if they are to hold their important position at the leading edge of the American economy.

#### INTRODUCTION OF TWO PIECES OF LEGISLATION

#### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mrs. SCHROEDER. Mr. Speaker, today I am introducing two bills that I have been working on for years: the Federal Employee Family Building Act, and a bill to reimburse Federal employees up to \$2,000 for adoption-related expenses.

The Federal Employee Family Building Act is a simple idea. It says that the Federal Employees Health Benefits Program [FEHBP] must reimburse infertility and adoption expenses at the same rate it now covers obstetrical care. This will give premium-paying Federal employees, who want to raise children but cannot conceive or opt to adopt, the financial assistance they need.

In addition, I am also introducing legislation to grant a \$2,000 reimbursement to Federal employees once the adoption process is finalized. This money will assist Federal employees with adopted children to offset the paralyzing medical, legal, counseling, and agency fees that accompany every adoption. Furthermore, this legislation will bring the nearly 3 million Federal employees in line with active duty military families who enjoy an analogous benefit, as well as many private sector employers who offer adoption reimbursements and other family-building incentives.

The National Center for Health Statistics estimates that nearly 2.3 million Americans suffer infertility. The National Committee on Adoption estimates that 45,000 children and 30,000 infants are waiting for permanent placements. The average cost of adoption can quickly surpass \$9,000. Surgical therapies for

infertility can easily reach \$10,000. The median cost of having a baby can cash in at over \$7,800. Clearly, many Federal employees will find these costs prohibitive.

Simply put, unless the new health care reform package encourages couples to explore nontraditional family-building methods, infertility will continue to emotionally destroy thousands of adult lives, while thousands of children's lives remain in limbo. I invite all my colleagues to support both of these legislative proposals and send a strong message to the White House that the new health care package be truly family-friendly by encouraging couples who want to become parents to build their families in the best possible way.

#### TRIBUTE TO JEFFERY M. CHIOW

#### HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GILLMOR. Mr. Speaker, I would like to take this opportunity to recognize an exceptional young man from my district who has recently accepted his appointment as a member of the class of 1997 at the U.S. Naval Academy.

Jeffery M. Chiow will soon graduate Defiance Senior High School after 4 years of outstanding academic achievement as well as extracurricular involvement. During his high school career, Jeff established himself as a leader among his peers. Jeff has served as president of the National Honor Society, editor of his school paper, and captain of the academic quiz team. He has also participated in cross country, several musical groups and was selected as a local delegate to the American Legion's Buckeye Boys State.

Mr. Speaker, one of the most important responsibilities of Members of Congress is to identify outstanding young men and women and to nominate them for admission to the U.S. service academies. While at the Academy, they will be the beneficiaries of one of the finest educations available, so that in the future, they might be entrusted with the very security of our Nation.

I am confident that Jeff Chiow has both the ability and the desire to meet this challenge. I ask my colleagues to join me in congratulating him for his accomplishments to date and to wish him the best of luck as he begins his career in service to our country.

#### TRIBUTE TO ED DAVIN ON THE OCCASION OF HIS RETIREMENT

#### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. MENENDEZ. Mr. Speaker, I would like to take this opportunity to congratulate Mr. Ed Davin on the occasion of his retirement as the executive vice president and chief operations officer of the Trust Company of New Jersey.

A lifelong resident of Jersey City and a graduate of Seton Hall University, Mr. Davin

began his long and distinguished career with the Trust Company of New Jersey in 1954. Mr. Davin's banking career, in which he has earned the title of executive vice president and chief operations officer, is laudatory in itself, but it is his unwavering dedication and outstanding service to his community which makes him a truly remarkable individual. His service to professional colleagues, as the president of the Hudson County Bankers Association, president of the Northern New Jersey Clearing House Association, and as an instructor for 10 years with the American Institute of Banking are only a very few of his contributions.

To the community at large, Mr. Davin's service has been wholly extraordinary. He has served in leadership roles in the Jersey City Jaycees; the New Jersey Jaycees; the Hudson County Mental Health Association; the United Way of Hudson County; the Board of Trustees of St. Dominic Academy; the Valor Awards Selection and Action Committee of the 200 Club of Hudson County; the executive advisory council to the department of business administration at Jersey City State College; and the board of trustees of Christ Hospital in Jersey City.

Under his leadership, the three Boys' Clubs of Jersey City were consolidated into one, which he served admirably as its first president. Mr. Davin has been recognized with the Distinguished Service Award by the academic career planning division of Jersey City State College; as Man of the Year, by the Pack Foundation for Cancer Research and Graduate Teachings; with the Whitney M. Young, Jr. Award for his service to the goals and activities of the Urban League; by the Junior Service League of Hudson County as one of the 100 Outstanding Citizens of Hudson County; as the first honoree to be inducted into the Community Service Hall of Fame, presented with the Sir William Osler, M.D. Humanitarian Award for his outstanding contributions to public health and community service; and as the Citizen of the Month by the Police Honor Legion of New Jersey for his unselfish time and outstanding efforts on behalf of the law enforcement agencies throughout the State.

Mr. Davin has also been selected by the Society of Friendly Sons of Saint Patrick of Hudson County as their Irishman of the Year in 1987. The following year, he was again selected Irishman of the Year by the Jersey City St. Patrick's Day Parade Committee.

Ed Davin's service to his community even includes 14 years as chairman of the Jersey City Zoning Board of Adjustment, under four different Jersey City administrations from 1971-85. His contribution to both the business community and the community at large has been, and I trust will continue to be, an example to all.

## EXTENSIONS OF REMARKS

### MAYORS AS CITIZEN COSPONSORS OF THE FISCAL ACCOUNTABILITY AND INTERGOVERNMENTAL REFORM ACT OF 1993

#### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GOODLING. Mr. Speaker, on March 10 of this year Congressman MORAN and I introduced the Fiscal Accountability and Intergovernmental Reform [FAIR] Act to help State and local governments alleviate their most crushing financial burden, unfunded Federal mandates.

As you know, this legislation is necessary to safeguard against a tendency within the institution and among Federal agencies to resort to more and more unfunded Federal mandates.

This bill would require that any legislation to be considered by the full House or Senate have an analysis of the costs of compliance to State and local governments and the private sector. This bill seeks to enforce provisions already included in the 1974 Budget Reform Act. Second, this legislation would require all Federal agencies to analyze the economic costs of new regulations before they are adopted.

Support for this legislation has been increased both in the Congress and among those who it will help the most, our Nations civic leaders in State and local governments and small business.

Congressman MORAN and I have received letters from mayors all over the country expressing their support for the FAIR Act. Clearly, their support of this bill reflects the need for the Congress to reform the way it does business. Their support signals the beginning of a partnership between the Federal Government and State and local governments and small businesses.

In order to give our local government a stronger voice in this issue, we have decided to make these mayors "Citizen Cosponsors" of the FAIR Act. Mr. Speaker, I am submitting for the RECORD, the names of 20 mayors who have written to express their strong support for the passage of the FAIR Act:

Name, City, and State:  
 Richard Arrington, Birmingham, AL.  
 Michael C. Dow, Mobile, AL.  
 Sharon Priest, Little Rock, AR.  
 James Lindsey, Merced, CA.  
 Linda Spiro, Rohnert Park, CA.  
 Fay B. Kastelic, Pueblo, CO.  
 Jacquelyn C. Durrell, Fairfield, CT.  
 Joseph M. Mazurkiewicz, Cape Coral, FL.  
 Partrick J. Gibbs, Davenport, IA.  
 Richard A. Brauer, Belleville, IL.  
 Tomilla Allison, Bloomington, IN.  
 David Adkisson, Owensboro, KY.  
 George Dement, Bossier City, LA.  
 Judith H. Robbins, Attleboro, MA.  
 Douglas Duncan, Rockville, MD.  
 John S. Coppage, Midland, MI.  
 Charles Winkelman, St. Cloud, MN.  
 Jack Leonard, Chesterfield, MO.  
 James K. Seastrand, North Las Vegas, NV.  
 Frank Stare, Newark, OH.

### TRIBUTE TO CAPT. CASSIN YOUNG

#### HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mrs. FOWLER. Mr. Speaker, today I come before the House to honor one of America's military heroes, Capt. Cassin Young.

On December 7, 1941, Cassin Young was commanding officer of the U.S.S. *Vestal*, a repair ship moored alongside of the U.S.S. *Arizona* at Pearl Harbor during the sneak attack upon our military forces by the Japanese Navy.

As the U.S.S. *Arizona* was attacked, Commander Young was blown overboard by the blast but remarkably swam back to his ship, hoisted himself out of the water and returned to his command. As he surveyed the situation, he witnessed that the entire front section of the *Arizona* was a blazing inferno with burning oil on the water between the two ships which eventually spread to the U.S.S. *Vestal*. Since his own ship was on fire in several places and beginning to take on water, Commander Young put the safety of his crew ahead of all else. Between the fire on the water and the bombs dropping all around him, he managed to eventually beach his ship and save his crew.

On the night of Friday the 13th in November 1942, Commander Young was killed in the line of duty as the Japanese attacked the ship he commanded, the U.S.S. *San Francisco* and its battle group. During the firestorm, Young gave his all to save his ship and crew. The attack on his ship was swift. As Japanese warships rammed into the U.S.S. *San Francisco*, steering and engine control were damaged. And, during a continued series of bombings, America lost one of its heroes, Cassin Young. The ship did manage to survive to fight again thanks to the courage of its commander and crew.

Today, as the citizens of Volusia County remember the dedication to both his country and his fellow servicemen, let us also remember with great pride the actions of Capt. Cassin Young.

As a remembrance of his heroism, the American Legion, Ormond Beach Post 267 and its members have decided to rename their post to read "American Legion, Inc., Cassin Young Memorial Post No. 267." I proudly join with the members of Post 267 and the family of Capt. Cassin Young as we celebrate his bravery and actions in the face of danger.

### NATIONAL CHILD ABUSE PREVENTION MONTH

#### HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. SWETT. Mr. Speaker, I rise today in recognition of April 1993 as National Child Abuse Prevention Month. Child abuse has affected countless Americans but only recently has this tragedy been examined in the national spotlight. The societal impact of child abuse is immeasurable.



Reported instances of child abuse have risen dramatically in the past decade. According to the National Committee for Prevention of Child Abuse, between 1985 and 1991 reports of child abuse and neglect increased by 40 percent. In 1991, 2,694,000 children were reported to child protective services agencies as victims of child abuse. This number represents an average annual increase of 6 percent during this period. While substantiation rates for these alleged cases of abuse hover around 50 percent, the over 1 million confirmed instances of abuse, and the 1,383 children who died from abuse and neglect in 1991, are sufficiently chilling to warrant heightened efforts to address this problem.

Child abuse and neglect occurs in very racial and demographic group. But it is most prevalent among those living below the poverty line. Although the shocking increase in reported cases of child abuse can, in part, be attributed to the greater exposure the problem has received in the past decade, there is also a clear correlation between the fourfold increase in the number of children below the poverty line in the past decade and the increase in reported cases of child abuse. In my own State, New Hampshire, there are more children living in poverty than ever before, and reported cases of neglect and abuse have risen proportionally. Mr. Speaker, it is obvious that helping our Nation's poorest citizens will also yield dividends in the battle against child abuse.

Too many Americans still refuse to believe that child abuse can occur among their friends or in their community. Unfortunately, the statistics tell a different story. Child abuse is a disease that knows no racial, ethnic, or socioeconomic boundaries. Moreover, studies have shown that those parents most likely to abuse their children were in fact themselves abused. This cycle of abuse and suffering must be stopped. Mr. Speaker, we must join together to eradicate the abuse and neglect of our Nation's children before another generation is witness to its terror.

#### GREAT WESTERN TRAIL BILL INTRODUCED

**HON. JAMES V. HANSEN**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. HANSEN. Mr. Speaker, today I along with my colleagues Mr. ORTON, Mr. PASTOR, Mr. KOLBE, Mr. KYL, Mr. STUMP, Ms. SHEPHERD, Mr. THOMAS, and Mr. WILLIAMS introduce a bill to amend the National Trails System Act to designate the Great Western Trail for potential addition to the National Trails System.

The Great Western Trail crosses the most unique and beautiful areas of the West. Visitors of the Great Western Trail will enjoy a wide variety of experiences including wilderness, recreation, cultural, and the historical treasures of the West. The Great Western Trail begins at the Mexican border in the Coronado National Forest in Arizona and heads in a northerly direction by Phoenix, through southern Utah National Parks, past

Salt Lake City into eastern Idaho and western Wyoming heading north touching Montana and reaching the Canadian border in the Idaho panhandle.

The proposed route is actually in place through much of the area. This trail takes advantage of the rich abundance of public lands throughout the heart of the Rockies. By following mostly existing roads and trails, very little right-of-way acquisition and minimal new construction is needed. This trail would be mostly on national forests and some public domain administered by the Bureau of Land Management in Idaho, Wyoming, Utah, and Arizona.

The Great Western Trail [GWT] is actually much more than a trail, but rather a corridor of trails and passageways designed to serve the many types of trail interests and users. Using whatever was available, travelers in the Old West made their way by foot or horseback, or by using a variety of vehicles including wagons and water craft as they moved between communities, over mountain passes, down rivers, and across valleys. And so it is today along the Great Western Trail as the magic and romance of the Old West unfolds once more to recreational enthusiasts from across the nation and many foreign countries. Opportunities exist for hikers, horseback riders, boaters, mountain bikers, cross country skiers, and off-road vehicle and snowmobile riders to traverse this scenic and culturally rich area of our Nation in a variety of ways.

Mr. Speaker, the Great Western Trail will be a valuable natural asset to our country and I urge my colleagues support.

#### TRIBUTE TO NICHOLAS F. FRYZIUK

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. LIPINSKI. Mr. Speaker, I rise today with a sense of loss after the death of Nicholas Fryziuk, a lifelong resident of Chicago's 23d ward. Nicholas passed away from leukemia on Thursday, April 1, 1993 at Hines Veterans Hospital, near Maywood, IL.

Nicholas was a survivor of the Bataan Death March in the Philippines in April 1942 and of 42 months in a Japanese prisoner-of-war camp. Nicholas, a sergeant in the 192d Tank Battalion, landed in the Philippines on Thanksgiving Day 1941 with 88 other men from the western suburbs of Chicago. Less than 1 month later, the Philippines were attacked. He was part of the American and Filipino force that held off the invaders on the island of Corregidor and Bataan peninsula.

On April 10, 1942, he and 75,000 other captured soldiers began a 65-mile march from Mariveles to San Fernando under a blazing sun. The Japanese clubbed and beat stragglers with rifle butts, killing those who did not get up. Nicholas helped to carry a wounded man much of the way. His two best friends were killed.

His war injuries eventually forced him into a early retirement from Corn Products Co. Inc., in Argon, IL. It is not known whether his leukemia was caused by the atomic bomb which

destroyed Hiroshima, since the prisoner-of-war camp in which he spent over 3 years was only 25 miles from Hiroshima.

In 1957, he and several other Chicago-area Bataan survivors set up an export-import business to find markets in the United States for goods from the Philippines.

Nicholas is survived by his wife Cecilia, a daughter, Diane Andrasek, and two grandchildren.

Mr. Speaker, as I rise to today to recognize Nicholas Fryziuk, I wish to honor the memory of this exceptional man. His courageous actions are an example for all to follow. I hope my colleagues will join me and my constituents in saluting Nicholas. He will be deeply missed.

#### BERLIN TOWNSHIP MAYOR AND COUNCIL ANNOUNCE ANOTHER YEAR OF RECYCLING SUCCESS

**HON. ROBERT E. ANDREWS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. ANDREWS of New Jersey. Mr. Speaker, I rise today to commend Berlin Township, a municipality in my district, for the success of their recycling program. I would like to enter for the RECORD a statement which the township recently released which explains the program. I hope that other communities around the country can learn from Berlin Township's success:

BERLIN TOWNSHIP MAYOR AND COUNCIL ANNOUNCE ANOTHER YEAR OF RECYCLING SUCCESS

BERLIN TOWNSHIP.—Since the Recycling Program began in the Township of Berlin, over twelve (12) years ago, the success of the program has continually escalated to an all time high. The recovery rate for 1992 has reached 65 percent, which is the highest ever for Berlin Township and perhaps the County of Camden and the State of New Jersey. The program started back in September of 1980 with the voluntary separation of glass, which proved to be the root of a program that should be the model for other communities and levels of government. Over the past decade, with the cooperation of the various township departments and officials and most importantly, the residents, this program has asked more of everyone as far as participation is concerned, but has proved to pay off in a big way. "For a small residential community to begin a program that would eventually turn almost two-thirds (2/3)s of it's waste stream into recyclable materials is remarkable," said Councilman Chris Morris, Liaison to the Public Works Department in Berlin Township.

The Township takes great pride in this program and the people who have made it so successful. The residents, the public works employees, under the direction of Public Works Director Mike McGee, and the Mayor and Council have worked in harmony to bring about the successes of this program. And their efforts have not gone unnoticed, as far back as 1981, Berlin Township has received awards from the County of Camden, the New Jersey Department of Environmental Protection, the National Recycling Coalition, the Institute for Local Self Reliance, Renew America, and the Federal Envi-

ronmental Protection Agency which recognized this program and awarded the Environmental Quality Award in 1991. Perhaps the most notable award came from the Friends of the United Nations Environment Program (FUNEP 500) who recognized the Berlin Township Recycling Program in 1990 and 1992 for their outstanding program and recovery rates achieved.

Achieving such a high recovery rate is no fluke, according to Mike McGee, "Our program achieved a recovery rate of 58 percent for 1989, 60 percent for 1990, 64 percent for 1991 and now an all time high of 65 percent for 1992, which is a testament to the efforts of all involved," said McGee who has been a big proponent of recycling during his tenure as Public Works Director. As part of the success realized, McGee is often consulted by various surrounding communities and others around the State and Country for assistance with their recycling programs. "In my opinion, every community should have a recycling program in an effort to reduce the overall burden placed upon the environment as well as the budgets of local communities," said McGee.

In the case of Berlin Township, the recycling program has not only proved beneficial for the environment, but the local budget as well. "If we did not have our recycling program, we would have spent well over two hundred thousand (\$200,000) dollars in disposal fees for 1992; there is no doubt in my mind that recycling has been and remains the wave of the future," commented Morris.

Berlin Township recycles glass, aluminum, motor oil, newspaper, metal, cardboard, batteries, concrete, clean lumber, brush, leaves and grass clippings.

CHARLES L. WEYER, JR.,  
HONORED

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GILLMOR. Mr. Speaker, I would like to take this opportunity to recognize an exceptional young man from my district who has recently accepted his appointment as a member of the Class of 1997 at the U.S. Military Academy.

Charles L. Weyer, Jr., will soon graduate Margaretta High School in Castalia, OH, after 4 years of outstanding academic achievement as well as extracurricular involvement. During his high school career, Charlie has distinguished himself as a leader among his peers, serving as vice president of his class and captain of the Margaretta football team. Charlie was also active in the foreign language club, his church youth group and the National Honor Society.

Mr. Speaker, one of the most important responsibilities of Members of Congress is to identify outstanding young men and women and to nominate them for admission to the U.S. service academies. While at the Academy, they will be the beneficiaries of one of the finest educations available, so that in the future, they might be entrusted with the very security of our Nation.

I am confident that Charlie Weyer has both the ability and the desire to meet this challenge. I ask my colleagues to join me in congratulating him for his accomplishments to

date and to wish him the best of luck as he takes his place in the "long grey line" and begins his career in service to our country.

# FEDERAL MANDATES

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, April 28, 1993, into the CONGRESSIONAL RECORD.

## FEDERAL MANDATES

Later this year hundreds of communities in Indiana and around the country will have to comply with tougher federal drinking water standards. These requirements were enacted into law as part of an effort to ensure safer drinking water supplies for Americans. And yet, meeting the new standards will be costly to implement. For example, Indianapolis recently completed a \$30 million treatment plant and plans to spend several million dollars more to upgrade its water system to comply with the standards. Local leaders appreciate the need to provide safe drinking water to their citizens, but complain that they will have to bear a disproportionate share of the compliance costs.

Federal mandates, like the drinking water standards, are a growing source of irritation between the federal government and states and localities. The objectives sought by these federal requirements are almost always worthy: clean water, safer roads, bridges, and buildings, and equal access. But while the federal mandates may be rational, collectively they often drain cities and states of money. For example, compliance with the federal clean water act is expected to cost state and local governments \$32 billion a year by 1995. If the trend toward unfunded mandates continues, it will gradually usurp the powers of states and turn them into administrators of national policy. The challenge is to find ways to alleviate the financial burden on state and local governments caused by the mandates without letting the worthy objects of the mandates slip away.

## TYPES OF MANDATES

Federal mandates appear in many forms and cover a wide range of subjects. Some require communities to take specific actions as a condition for receiving federal grants, such as requiring that public buildings can accommodate the handicapped. Others are direct orders, requiring state and local government to comply with national standards and administer federal statutes. Direct federal mandates include environmental, criminal justice, and health care regulations like testing children for lead poisoning.

Hoosiers are familiar with some of the larger mandated programs. Medicaid, the federally subsidized health care program for low-income families, costs states \$38 billion a year to finance. Medicaid spending has risen dramatically in Indiana in recent years, consuming over \$2 billion in the last budget cycle. Environmental laws are also expensive. For example, school districts throughout Indiana have spent millions of dollars removing asbestos from school buildings as required by a 1986 law.

## FEDERAL BUDGET CUTS

The federal budget deficit has been a driving force in the debate on federal mandates.

In the 1960s and 1970s, federal money to state and local governments grew steadily as a percentage of state and local outlays from 14% in 1960 to a peak of 27% in 1978, and states and localities expressed little concern about the conditions attached to federal money. In the 1980s the federal government responded, in part, to growing budget deficits by cutting aid to states and localities. Financial aid to state and local governments dropped to a low of about 18% in 1988.

However, the number of mandated programs continues to grow even as federal resources available for states and localities to meet these mandates dwindle. New regulations adopted between 1983 and 1990 imposed cumulative estimated costs of between \$8.9 billion and \$12.7 billion on states and localities. Although states have challenged the legality of federal mandates in courts in recent years, they have generally been unsuccessful.

## SOLUTIONS

The federal government should take several steps to ease the burden on states and localities. First, the President and Congress need to recognize that in general it is simply unfair to the states and localities to try to achieve national goals, even worthy ones, by pinning the cost of compliance on states and localities. Second, the President and Congress should conduct a comprehensive study of federal mandates and act to eliminate unnecessary regulations and reporting requirements and streamline others. This would help cut costs, and improve accountability for the success or failure of a particular program. Third, states and localities should be given more flexibility in administering mandated programs. State and local governments have been innovators in providing services efficiently on reduced budgets. Fourth, the federal government should try to make more resources available to states and localities to meet mandates. Some have suggested a general mandate compensation item in the federal budget, similar to revenue sharing, to offset the costs of mandates. Fifth, Congress and the President should assess the impact of their actions on state and local governments whenever they are considering legislation and regulations, and select policies which have the least adverse consequences. Too much legislation has been enacted without any reliable estimates of the costs to state and local governments. For example, the cost of the Americans with Disabilities Act—commendable legislation to provide the disabled with equal access to services, employment, buildings and transportation—is only now being fully recognized. I have co-sponsored a bill this year which would require the federal government to estimate the costs of legislation and regulations on state and local governments. Congress must choose more carefully the things it mandates and do a better job of providing funds for what it requires.

The most comprehensive approach to the problem of unfunded mandates would be to have the federal government handle activities that it does best, or which states cannot handle alone like managing air traffic control, national defense, social security, and health care. But states would take the lead for other activities—education, training, community development, housing, and most public capital projects. Devolving responsibility for these programs to the states could reduce federal spending, reduce the federal deficit, and make the federal government a more manageable enterprise.

## CONCLUSION

Many federal mandates are intended to achieve important and laudable policy objec-



tives. But Congress must, as a fundamental matter of responsibility and fairness, ensure that mandates can be reasonably met by state and local governments. Resolving the problem of federal mandates will require sorting out the proper federal, state, and local roles in particular issues, and then determining who should perform them and who should pay for them. I am hopeful that tough fiscal times will prompt innovative thinking and improved cooperation among the different levels of government.

#### DUNDERHEADS

### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mrs. SCHROEDER. Mr. Speaker, the Denver Post commented, "Tailhook Shows Straights More Worrisome Than Gays," on the quandary the military has bogged itself in. While rejecting any reasonable solution to the question of gays and lesbians serving in our country's Armed Forces, our military leaders have allowed an atmosphere of licentiousness to fester. Perhaps the Tailhook Report will bring them to their senses.

[From the Denver Post, Apr. 27, 1993]

TAILHOOK SHOWS STRAIGHTS MORE  
WORRISOME THAN GAYS

If they gave medals for dunderheadedness, the Pentagon would surely win one for its increasingly indefensible approach to the question of homosexuality.

On one hand, a decorated veteran of the Desert Storm campaign, recently named the Sixth Army's "Soldier of the Year," now stands to be discharged after having publicly announced that he is gay—even though his conduct in uniform has been exemplary.

On the other, scores of "straight" officers, whose misconduct in the Tailhook incident has shamed the Navy, are only belatedly being held accountable for their violations of both military law and common decency.

Clearly, the assumption that homosexuals automatically pose a threat to the image or combat readiness of the military services, while heterosexuals don't, has shown itself to be as obsolete as a flintlock rifle.

What counts, as President Clinton recognized in calling for an end to the ban on gays in the military, is not one's sexual orientation, which obviously has little bearing on a person's patriotism or ability to perform a mission. Rather, it is a person's behavior—sexual or otherwise—that determines whether he or she should be honored or disgraced, in the military or in civilian life.

It shouldn't take a march on Washington to demonstrate the moral bankruptcy of the current policy. If the top brass refuse to renounce the belief that homosexuality is "incompatible" with military service, they will be guilty of the same kind of failure of leadership that led to the Tailhook abuses.

#### TRIBUTE TO CENTERVILLE HIGH SCHOOL

### HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. HALL of Ohio. Mr. Speaker, I am proud to announce that a very ambitious and bright

class of students from Centerville High School will be representing the State of Ohio in the national "We the People . . . The Citizen and the Constitution" competition. These students from Centerville, OH, which I am honored to represent in Congress, have demonstrated exceptional knowledge and appreciation of our Constitution and Bill of Rights. By winning the State competition, these students will move on to the national finals May 1-3 in which over 1,200 students from 47 States and the District of Columbia will compete on their knowledge of constitutional principles.

The Centerville student finalists representing Ohio are: Praveen Akuthota, Ward Barrentine, Thomas Davis, Andrew Duncan, Drex Earle, Salman Elmi, Matthew Hubbard, Justin Husher, David Lambright, Alissa Lane, Melinda Leiwig, Kevin Lopardo, Benjamin Oxley, Jim Park, Ryan Powell, Ben Pryor, Sandeep Punateer, Naveen Reddy, Jon Servaites, Jill Solscheid, Angel Spyrou, James Taller, Wendy Tzou, Christopher Willard, and Yousuf Zafar. I would also like to commend their teacher Teresa Lonsbury, who worked with the students in understanding the depth of our Constitution, as well as Peter Kavouras and Patti Denny, the district and State coordinators, whose time and dedication to this program proved invaluable.

Mr. Speaker, for some time I have been a participating member of the "We the People . . . The Citizen and the Constitution" program. The program allows student finalists to testify before a panel of prominent professionals from across the country to demonstrate their expertise in constitutional principles. The forum is a hearing, similar to our hearings in Congress, in which students respond to questions and defend their knowledge of the Constitution. The program is an exciting way to teach history and to stimulate an appreciation for the values and principles inherent in our democratic republic.

I would like to congratulate Centerville's class for their impressive achievement thus far and extend best wishes for success in the finals. These students are a tribute to their families, their community and their State. I am confident the knowledge gained through this program will help them realize the challenges and responsibilities of good citizenship.

#### CONGRATULATIONS TO PRESIDENT CLINTON

### HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. COLEMAN. Mr. Speaker, I rise today to congratulate President Clinton on the most important achievement of his first 100 days—his radical departure from the failed trickle-down policies of the past and the new direction he has charted for our country.

The Congress passed President Clinton's 5-year budget plan in record time, providing for the first time in a decade a responsible, achievable economic plan for this Nation to reduce the deficit by \$514 billion while at the same time increasing investment in our people.

Let the pundits pick away at the tiny details. But let us not overlook the importance of this single, shining accomplishment—trickle-down economics has finally been laid to rest.

My district, still one of the poorest in the Nation, now looks forward to a brighter future under the leadership of President Clinton. The future under President Clinton lies before us filled with educational opportunities, health care, childhood immunizations, job training, and hope that our children will be freed of the horrible debt burden they must confront.

And so I congratulate the President and his administration. And I look forward to the next 1,200 days of progress and hope.

#### REPRESENTATIVE BRUCE VENTO HONORED WITH THE NATIONAL ALLIANCE TO END HOMELESS- NESS AWARD

### HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. BONIOR. Mr. Speaker, last night, my Minnesota friend and colleague BRUCE VENTO was honored for his work to end homelessness by the National Alliance to End Homelessness. Representative VENTO was presented with the Public Sector Achievement Award by the two cochairmen of this year's awards ceremony, Susan Baker who is the driving spirit behind the alliance and Jim Johnson who is working to end homelessness at the alliance and as Chairman of Fannie Mae.

The Alliance to End Homelessness is devoted to the idea that only bringing together public, private, and nonprofit resources can we end homelessness. The alliance believes as Mr. VENTO believes that we must focus on long-term solutions to homelessness.

It is an odd combination, when you think about it. A senior Member of Congress devoting so much time and effort to help those who can't—or won't—help themselves. We all know that the homeless have no political money to contribute. They do not vote in any large numbers. They operate no political party machines. They don't have a PAC. Anyone writing legislation or speaking for them in Congress is not in it for political gain. So for my colleague BRUCE VENTO it is a true calling of the heart. It is, simply, the right thing to do.

Representative VENTO is a Member of Congress who grew up in a working class neighborhood—nothing fancy, mind you, but there was always a roof over his head. Why, then, would he take to the cause of the homeless? Maybe it's because in the homeless, we see people from similar backgrounds, similar families, and similar heritages. And we suspect that but for some strange happenstance, they would wear suits and ties, shiny shoes, live in tidy homes, and have careers, friends, and families like we do. So perhaps we see a glimpse of ourselves, in the homeless and we are reminded that the compassionate thing to do—the right thing—is to help others as you would want to be helped in that situation.

Before homelessness was really a notable issue in the Nation or in Congress, Represent-

ative VENTO started to do something tangible about the problem. In 1983, he attached a modest amendment to an appropriations bill to pay for repairs on unused buildings to be used as temporary shelters. While that bill passed the Congress, Mr. VENTO's next bill was never even considered by the full House. Then, in the 100th Congress, Representative VENTO was the principal author of the \$1.3 billion McKinney homeless-aid reauthorization bill, which won widespread support. The McKinney homeless bill was reauthorized in the 101st Congress and for 2 years in the 102d Congress. More recently, Representative VENTO has urged his colleagues in Congress to move beyond the McKinney Act to the heart of the matter—prevention. BRUCE VENTO has been the only Member of Congress to step forward and endorse the beyond-McKinney proposals. And this year in recognition of his bold steps to end homelessness, Speaker TOM FOLEY has named Representative VENTO as the chairman of the House Task Force on Homelessness.

The story of the good shepherd tells us that a good society—a just society—will always care for the one or two who have lost their way. So it is, I think, with this feeling that Representative VENTO has pursued an aggressive agenda of homeless legislation.

The Alliance to End Homelessness could not have picked a better person to honor for his work to end homelessness. BRUCE VENTO deserves much of the credit for bringing the issues of homelessness into the minds and hearts of the American people and of Members of Congress. Thank you for your work, and, again, congratulations.

#### GORHAM HIGH SCHOOL HONORED

##### HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. SWETT. Mr. Speaker, on May 1-3, more than 1200 students from 47 States and the District of Columbia will be in our Nation's Capital to compete in the national finals of the We the People . . . The Citizen and the Constitution Program. I am proud to announce that a class from Gorham High School in Gorham, NH will represent New Hampshire's Second District. These young scholars have worked diligently to reach the national finals by winning district and State competitions. The distinguished members of the team representing New Hampshire are: Dan Adams, Chris Addario, Dale Burcalow, Allan Carpenter, Ryan Carreau, Ralph Ciacciarrelli, James Godbout, Amy Horne, Sarah Lambertson, Leah Lemieux, Ellen McCrum, Bethany Parker, and Jennifer Simon.

I also would like to recognize their teacher, Michael G. Brosnan, who deserves much of the credit for the success of the team. The district coordinator Raymond H. Kneeland, and the State coordinator Carter Hart, Jr. have also contributed a great deal of time and effort to help the team reach the national finals.

The We the People . . . The Citizen and the Constitution Program, supported and funded by Congress, is the most extensive edu-

cational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights. The 3-day academic competition simulates a congressional hearing. Students, acting as expert witnesses, testify before a panel of prominent professionals from across the country in order to demonstrate their knowledge of constitutional issues. Administered by the Center for Civic Education, the program, now in its sixth year, has reached over 12,000,000 students in 21,490 elementary, middle, and high schools nationwide.

The program provides an excellent opportunity for students to gain an appreciation of the significance of our Constitution and its place in our history and our lives today. I am proud of the students representing New Hampshire's Second District and commend them and their teacher for their hard work. I wish them the best of luck in this competition—and a bright future thereafter.

#### JAMES J. CROSS HONORED

##### HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GILLMOR. Mr. Speaker, I would like to take this opportunity to recognize an exceptional young man from my district who has recently accepted his appointment as a member of the Class of 1997 at the U.S. Merchant Marine Academy.

James J. Cross will soon graduate Woodmore High School after 4 years of outstanding academic achievement as well as extracurricular involvement. During his high school career, Jim has participated in the American Legion's Buckeye Boys State, student council, and marching and pep bands. Jim has also been active in the local chapter of Future Farmers of America, serving as the organization's treasurer.

Mr. Speaker, one of the most important responsibilities of Members of Congress is to identify outstanding young men and women and to nominate them for admission to the U.S. service academies. While at the Academy, they will be the beneficiaries of one of the finest educations available, so that in the future, they might be entrusted with the very security of our Nation.

I am confident that Jim Cross has both the ability and the desire to meet this challenge. I ask my colleagues to join me in congratulating him for his accomplishments to date and to wish him the best of luck as he begins his career in service to our country.

#### TRIBUTE TO WINSLOW TOWNSHIP POLICE DEPARTMENT

##### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. ANDREWS of New Jersey. Mr. Speaker, I rise today to commend the Winslow Township Police Department of Camden

County, NJ, for the fine work they have been doing. The department was first established in 1970 as a full time police department. Its purpose was to help, protect, and serve the residents of Winslow Township who are spread out over more than 58 square miles. Over the years, the department has met the demands of a community which has quickly grown to more than 35,000 people.

The department has developed under the diligent leadership of its chief of police, Anthony Bello, to a total of 62 sworn officers, and 10 civilian personnel. It is composed of a patrol division, a criminal investigation division, a K-0 unit, a highway safety unit, and a special services unit. Chief Anthony Bello has been a pioneer within the ranks of law enforcement with the establishment of a specialized unit comprised of two officers whose duties are the strict enforcement of environmental crimes. Chief Bello has also developed a specialized unit whose sole purpose has been the suppression of illegal drug activity. Their success has been highly commendable. The Winslow Township Police Department has met the challenge of these violent times and should proudly boast of their success. Chief Bello and his personnel are to be commended for a job well done.

#### TRIBUTE TO CAROLE PYLE

##### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate Carole Pyle on the special occasion of her retirement from her position as the principal of Concord School in Cass district 63 in southeast DuPage County, IL. Mrs. Pyle has worked in the district for 28 years, the last 19 of which she served with distinction as principal of the K-4 school.

Mrs. Pyle began her work in the district teaching English, reading and science at Cass school and later became the first principal at Concord School.

In addition, it has been voted unanimously by the District 63 Board of Education to grant the Distinguished Service Award to Carole. This award is given to a school district employee who has served the district in an exemplary manner for 20 or more years.

The Cass School District 63 Superintendent Robert Leli described Carole best stating: "She's a class act, an interesting person and an outstanding educator."

Mr. Speaker, I am pleased to commend Mrs. Pyle for her tremendous contributions to our community and for her commitment to educating our youth. Her years of service to the students of Cass School District and the State of Illinois have not gone unnoticed. Her work has truly raised the quality of education for our children. I hope my colleagues will join me in saluting Mrs. Pyle for her many contributions and wishing her the very best for the years to come.



# A TRIBUTE TO NUTLEY HIGH SCHOOL: STATE FOOTBALL CHAMPIONS

## HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. KLEIN. Mr. Speaker, I rise today to pay special tribute to the Nutley High School football team. The 1992 Raiders claimed the school's first State football crown since 1939. Defeating Morris Knolls in the finals, 39-6, the Raiders convincingly won the North Jersey, section 2, group 3 championship.

Mr. Speaker, the Nutley High School football team is to be commended not only for their victory on the field, but for their perseverance and maturity in rebounding from a 1 and 8 season just 2 years earlier. It is for their patience and commitment to improvement that I commend not only the championship Raider football team, but also the Raider band, Raider cheerleaders, and entire student body.

Mr. Speaker, I ask my fellow colleagues to join me in congratulating Nutley High School as New Jersey State champions.

# MARIAN WRIGHT EDELMAN PRESENTED BARBARA JORDAN AWARD

## HON. HENRY A. WAXMAN

OF CALIFORNIA

## HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. WAXMAN. Mr. Speaker, on May 27, 1993, the Hollywood Women's Political Committee—an organization of professional women from film, television, and the arts—will present its Barbara Jordan Award to Marian Wright Edelman.

As the founder and president of the Children's Defense Fund, Marian Wright Edelman is America's foremost lobbyist for the rights of children. An attorney by training, Ms. Edelman began her career fighting for the rights of children in rural Mississippi. For three decades she has maintained a steady, constant, unwavering focus on the needs of the young.

Marian Edelman has built the Children's Defense Fund (CDF) into one of the best-known, most effective, and most far-reaching humanitarian advocacy groups in America. The CDF has fought strenuously for the fundamental right of children to adequate nutrition, shelter, health care, child care, and education.

We ask our colleagues to join us in congratulating Marian Wright Edelman for this distinguished honor and extending our thanks and best wishes to her.

# EXTENSIONS OF REMARKS

## BLOOD TAX OUGHT TO BE DEFEATED

## HON. JON KYL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. KYL. Mr. Speaker, as if it weren't bad enough that President Clinton's proposed Btu tax will increase the basic costs of food, clothing, and shelter for most Americans, I have just learned that it will increase the cost of blood for hospital patients as well.

United Blood Services in Arizona, a non-profit blood program, relies heavily on the generosity of volunteer pilots to help pick up and deliver blood supplies across the State. But, instead of encouraging such volunteer efforts as a way of holding down costs, the Clinton Btu tax will dramatically curtail volunteer pilots' financial ability to continue to provide this vital service for Arizona patients because it will raise the cost of aviation fuel by as much as 22 cents per gallon.

As a result, organizations like United Blood Services will be forced to bear those increased costs or use alternative commercial aviation, either of which will invariably raise its costs and service fees to hospitals and patients. Is this the President who wants to make health care more affordable.

Mr. Speaker, this blood tax ought to be defeated.

## TRIBUTE TO ALBERT AND LAVENIA SCRIVNER

## HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. COSTELLO. Mr. Speaker, I rise today to recognize the work of Albert and Lavenia Scrivner, two of my constituents from my hometown of Belleville, IL. Albert and Lavenia played a critical role in nationwide efforts to increase safety at railway crossings.

Albert Scrivner worked for Nickel Plate Railroad in Madison, IL beginning in the 1920's. It was there where he realized the importance of safety at a railroad crossing and thought of many ideas to help increase safety. One of his many suggestions that can be found all over our Nation is rumble strips. Albert developed the idea of constructing rumble strips on the approach to a railroad crossing. Drivers are alerted to an upcoming rail crossing because the rumble strip slows their approach.

Then, in 1976, Albert and Lavenia came up with an idea to use reflective paint on railroad warning signs. After being tested by the Illinois Commerce Commission on the St. Louis to Chicago route, this type of sign was found to substantially increase safety. Reflective paint signs are in place at railroad crossings from coast to coast largely because of the Scrivners' dedication to transportation safety and their inventive way of thinking about problems.

I ask my colleagues to join me in applauding Albert and Lavenia Scrivner for their important work in developing visual warning

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signs and rumble strips at railroad crossings. Every time you cross railroad tracks in safety, I ask that you remember the importance of Albert and Lavenia's ideas.

## JOHN P. HARTIGAN III HONORED

## HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GILLMOR. Mr. Speaker, I would like to take this opportunity to recognize an exceptional young man from my district who has qualified for an appointment as a member of the class of 1997 at the U.S. Air Force Academy.

John P. Hartigan III, will soon graduate from Oak Harbor High School after 4 years of outstanding academic achievement as well as extracurricular involvement. During his high school career, Jake has distinguished himself as a student-athlete, participating in cross country and varsity track. He is a member of the National Honor Society and has received the Scholastic Athlete Award.

Mr. Speaker, one of the most important responsibilities of Members of Congress is to identify outstanding young men and women and to nominate them for admission to the U.S. service academies. While at the Academy, they will be the beneficiaries of one of the finest educations available, so that in the future, they might be entrusted with the very security of our Nation.

I am confident that Jake Hartigan has both the ability and the desire to meet this challenge. I ask my colleagues to join me in congratulating him for his accomplishments to date and to wish him the best of luck in his efforts toward a career in service to our country.

## REINTRODUCTION OF THE WORKER PROTECTIONS WARNING ACT

## HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. ANDREWS of New Jersey. Mr. Speaker, I rise today to reintroduce the Worker Protection Warnings Act.

This legislation is designed to benefit the workers who use personal protective equipment, their employers, as well as the companies who manufacture it. Currently, the warnings and instructions provided by manufacturers of similar personal protective equipment are not uniform. As a result, workers may have to be retrained by their employer when the employer changes brands of personal protective equipment or when the worker moves to a new job with a new employer. Furthermore, standards for warnings and instructions can only be mandated on a State-by-State basis, creating a system which is cumbersome, inconsistent, and confusing to workers, safety directors, and personal protective equipment manufacturers.

The Worker Protection Warnings Act will eliminate this confusion by directing the Occu-

pational Safety and Health Administration [OSHA] to establish and mandate uniform warnings for protective equipment. A Federal uniform warning requirement for various types of personal protective equipment would improve workers' understanding of the proper uses and limitations of equipment designed to protect their well-being, as well as simplifying the worker training process. Uniform warnings will also remove the undue burden now placed on manufacturers who must comply with multiple state guidelines. OSHA would be directed to arrive at uniform warnings through a participatory rulemaking procedure involving workers, employers, human factors experts, manufacturers of safety equipment, and other experts in the field.

The legislation defines the term warning as any statement directing or describing one or more actions, procedures, or prohibitions relating to the use of personal protective equipment, which if not complied with, may result in personal injury or death to the user of the equipment. These warnings would relate to the personal protective equipment for occupational use which is intended to protect the eyes, face, head, hearing, extremities, or respiratory tract from workplace hazards. Additionally, the equipment may function as protective clothing, as a protective shield or barrier, as personal fall arrest or safety devices, or as safety and health monitoring and instrumentation devices.

The final regulation would prescribe the full text of each warning and the means by which the manufacturer or seller will communicate each warning to the employer. It will then require the employer to communicate each warning to every worker using the equipment. Furthermore, the employer will be required to train, educate and instruct each worker about the proper use of the equipment, as well as the consequences of failing to observe the warning.

While I do not intend this legislation to reduce the manufacturers' liability for user injuries resulting from defective products, the legislation will legally define what constitutes an appropriate warning, and mandate that all manufacturers of the same type of equipment use specified language to explain equipment uses and limitations, as well as common misuses, thus superseding any varying state guidelines.

As a matter of the House Subcommittee on Labor Standards, Occupational Health and Safety, I look forward to working with Chairman AUSTIN MURPHY and Chairman BILL FORD of the full House Education and Labor Committee. I am hopeful that this legislation can be moved either as a free standing bill or as part of general OSHA reform.

I am eager to work with President Clinton, Secretary Reich, and members of the business and labor communities in developing a commonsense solution to the historically divisive issue of worker safety.

## TUFTONIA'S WEEK

## HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. RICHARDSON. Mr. Speaker, last week thousands of graduates of Tufts University gathered in small and large groups all across our great country to take part in Tuftonia's Week festivities.

This year's celebration, the ninth annual observance, was particularly special to the Tufts community as we inaugurated Dr. John DiBiaggio as Tufts' 11th president. In addition to a formal proclamation ceremony on the Massachusetts campus, local observances ranged from small gatherings in restaurants or clubs to champagne receptions in museums, art galleries, and private homes. Alumni from Boston to Brunei, from Medford to Melbourne, and from Hartford to Hong Kong came together to think Tufts, thank Tufts, and toast Tufts.

Tuftonia's Week celebration derives its name from the title of a venerable Tufts football fight song written by E.W. Hayes, Class of 1916. It is a special time for the more than 65,000 alumni of Tufts to turn their thoughts to their alma mater and to get together with fellow Tuftonians, to reminisce with old friends.

Tufts University was founded in 1852 and enrolls approximately 7,900 students from all 50 States and 109 countries.

As a Tufts alum, it gives me great pleasure to publicly commend this outstanding institution and its devoted graduates for their many public service achievements and accomplishments. I urge my colleagues to join me in congratulating their Tufts alumni constituents who joined in this year's Tuftonia's Week celebrations.

## TRIBUTE TO STUART AND LILLIAN RAFFEL

## HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me in saluting Stuart and Lillian Raffel, who are being honored by the Brandeis-Bardin Institute for their tireless work on behalf of the institute and our community.

Lillian and Stuart Raffel exemplify the philosophy espoused by Associate Supreme Court Justice Louis D. Brandeis: "To be a better Jewish American one must learn to be a better Jew."

The Raffels are committed to the Jewish people, Jewish education, and the centrality of the arts in Jewish life. They have a deep and abiding love for music and concern for the development of young Jewish musicians. Each year, they sponsor "Under the Stars," a Jewish concert series at the institute. In addition, they have helped make it possible for many young musicians to receive training at the Brandeis Collegiate Institute's Young Artists Program.

Stuart Raffel has been a longtime member of the board of directors of the Brandeis-

Bardin Institute. He has served as its vice president and chair of its development committee and personnel committee. He is also co-organizer and director of the Heaven on Earth Stable for Handicapped Children, trustee for the Center for Improvement of Child Caring, board member of the Maple Center, a community nonprofit counseling center for Beverly Hills, and reserve lieutenant for the Los Angeles Sheriff's Department.

Lillian Raffel's charitable interests are also varied and extensive. She serves on numerous committees of the Brandeis-Bardin Institute with a particular focus on the arts, education, and development. She is also involved in the work of the Jewish Federal Council's speaker's bureau, the Strawberry Creek Music Festival, Beverly Hills Hadassah, the Los Angeles County Museum of Art, and Sinai Temple.

A former critical care nurse and nursing educator, Lillian Raffel is currently vice president of the Beverly Hills board of education and she serves on the board of directors of United Hostesses' Charities and the committee for school district organization of the Los Angeles County Office of Education. She has previously served on the board of directors and executive board of the California League of Nursing, the board of directors of the Beverly Hills Education Foundation, the executive boards of the Beverly Hills PTA Council and El Rodeo Unit.

I congratulate Stuart and Lillian Raffel on their great honor and wish them good health and continued success in all of their endeavors.

## A TRIBUTE TO THE REV. DR. ALLENE GILMORE

## HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. KLEIN. Mr. Speaker, I rise today to pay tribute to an outstanding citizen of northern New Jersey, Rev. Dr. Allene Gilmore. This hard-working and dedicated woman has served the community of Paterson with distinction for the past 20 years.

Under Pastor Gilmore's direction, the Gilmore Memorial Tabernacle Church has established a Christian academy, as well as an interdenominational Women's Conference. The pastor and her congregation are currently in the process of opening a 24-hour day care facility and nursing home, so that individuals throughout the community are provided the assistance they deserve.

Pastor Gilmore is the first African-American woman in the northern New Jersey area to have her own religious televised outreach ministry, through which she advises and consults the people that live in this area. She also has a lifetime membership in the NAACP and the National Council of Negro Women.

Not only has she served the African-American community with great devotion and attention, but she has also reached out to help those less fortunate in the entire city of Paterson. The Gilmore Church sponsors a prison ministry, street outreach, a food pantry,



and a mission ministry to Honduras, Haiti and several other churches.

Mr. Speaker, I am honored to have Pastor Gilmore dedicating so much time for the betterment of our community. I would like to thank the Reverend Dr. Allene Gilmore for guiding the people of Paterson for the past 20 years. She has truly been an inspiration throughout northern New Jersey.

**STEPHEN P.A. FODOR, MICHAEL C. PIRRUNG, J. LEIGHTON READ, AND LUBERT STRYER HONORED**

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Ms. ESHOO. Mr. Speaker, I would like to congratulate Stephen P.A. Fodor, Michael C. Pirrung, J. Leighton Read, and Lubert Stryer for receiving the 1993 Distinguished Inventor Award on April 15, 1993. The inventors are affiliated with Affymax Research Institute in Palo Alto, CA.

These four outstanding inventors received a U.S. patent in 1992 on a breakthrough technique for synthesizing chemicals by using a "biological microchip." Distinguished Inventor Awards are given each year by Intellectual Property Owners, a nonprofit association in Washington, DC. The award recognizes the most outstanding American inventors of the past year and highlights the vital role of creativity and invention in fueling our national economy and maintaining world technological leadership. Recipients of the award are selected from public and private laboratories, large and small companies, universities, and independent inventors.

The Affymax invention provides a tool for synthesizing and screening large numbers of different chemical compounds on a microchip. It employs techniques used in the semiconductor industry to define locations for thousands of diverse compounds in a miniature array on a substrate. Patterns of light are used with photoremovable protecting groups and different chemicals to create and screen large numbers of compounds in the time needed to prepare a single compound by traditional methods.

The invention could be important in the effort to reduce the high cost of health care. "Science Magazine" awarded the inventors its 1991 prize for outstanding article of the year.

Dr. Fodor is a scientific director and principal investigator on a \$2.2 million NIH grant awarded to Affymax in 1992. Dr. Pirrung is an associate professor of chemistry at Duke University. Dr. Read, co-founder of Affymax, is chairman and CEO of Aviron, a company dedicated to the cost-effective prevention of viral diseases. Dr. Stryer is a professor at Stanford University's School of Medicine and the author of "Biochemistry," a major text used in colleges and universities.

The president of Intellectual Property Owners, Roger S. Smith, is calling for greater national attention for brilliant inventors who are striving to push forward the frontiers of technology. Smith said, "We should include these inventors among our national heroes."

I urge my colleagues to join me in congratulating these exceptional inventors on their achievement.

**HEATHER A. LAWS HONORED**

**HON. PAUL E. GILLMOR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. GILLMOR. Mr. Speaker, I would like to take this opportunity to recognize an exceptional young woman from my district who has recently accepted her appointment as a member of the Class of 1997 at the U.S. Air Force Academy.

Heather A. Laws will soon graduate Sandusky High School after 4 years of outstanding academic achievement as well as extracurricular involvement. During her high school career, Heather has distinguished herself as a student-athlete and as a leader among her peers, serving as captain of the varsity soccer team. She has also served as vice president of the choir, and as a member of student council, and the academic challenge team.

Mr. Speaker, one of the most important responsibilities of Members of Congress is to identify outstanding young men and women and to nominate them for admission to the United States service academies. While at the Academy, they will be the beneficiaries of one of the finest educations available, so that in the future, they might be entrusted with the very security of our Nation.

I am confident that Heather Laws has both the ability and the desire to meet this challenge. I ask my colleagues to join me in congratulating her for her accomplishments to date and to wish her the best of luck as she begins her career in service to our country.

**INVESTMENT COMPETITIVENESS ACT OF 1993**

**HON. SAM GIBBONS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. GIBBONS. Mr. Speaker, as a member of the Ways and Means Committee, I have been actively involved in efforts to enhance the competitiveness of U.S. firms in global markets. My concern with our competitive position is simple: If we cannot compete in our globalizing economy, we will be unable to maintain and increase our standard of living.

Incentives to increase capital investment in U.S. firms are vital to any effort to improve our international competitiveness. Increased investment leads to increased innovation, and this in turn stimulates productivity and income growth.

The bill that I introduce today will increase capital investment in this country by removing two unnecessary restrictions that greatly limit the international competitiveness of the U.S. mutual fund industry. I am proud to say that our industry is the world leader in developing, managing, and marketing mutual funds. The success of this industry is reflected in the

rapid growth in the number and size of its funds. Notwithstanding this solid record, very few foreign investors own U.S. mutual funds. In fact, foreign shareholders account for less than one-half of 1 percent of U.S. mutual fund shares. The industry's efforts to encourage foreign investment in U.S. funds have been held back in large part by certain U.S. tax barriers that are inappropriate in our changing world.

In response, I am today introducing the Investment Competitiveness Act of 1993. This legislation would remove the impediments faced by foreigners who might otherwise invest in U.S. mutual funds by providing them with the same tax treatment that they currently receive by investing directly or through a foreign mutual fund. Removing these impediments would also put the U.S. mutual fund industry and foreign mutual fund industries on a more equal footing.

Under current law, U.S. funds investing in U.S. securities are disadvantaged by tax withholding provisions that do not apply to foreign funds investing in the same securities. Specifically, while interest income and capital gains realized by foreign investors are generally exempt from U.S. withholding tax, foreign investors in U.S. funds are subject to withholding on their interest income and short-term capital gains. This occurs because, when a U.S. fund distributes the interest income and short-term capital gains that it has earned to its investors, the income is considered to be dividend income; in the case of foreign investors, such distributions are subject to U.S. withholding tax.

My bill would correct this treatment and put U.S. funds on competitive footing with foreign funds by treating interest income and short-term capital gains paid to foreign investors as interest income and short-term capital gains.

The benefits of encouraging foreign investment in the United States through U.S. mutual funds are many. One significant benefit of selling U.S. funds abroad is the capital formation that would result from the inflow in investment dollars into U.S. securities markets. It would increase the pool of equity capital needed to expand existing American businesses and promote the creation of new business ventures. Another significant benefit of encouraging foreign investment in the United States through U.S. mutual funds is that our capital markets would be expanded without leading to the foreign control of U.S. businesses that could result from direct foreign investments. Finally, increasing demand for U.S. fund shares will have a ripple effect as it increases the demand for ancillary fund service providers located in the United States.

**INVESTMENT COMPETITIVENESS ACT OF 1993  
DESCRIPTION OF THE BILL**

*In General*

Under present law, most kinds of interest and short-term capital gains received directly by a foreign investor or received through a foreign mutual fund are not subject to the 30 percent withholding tax on investment income. However, interest and short-term capital gain income when received through a U.S. mutual fund are subject to the withholding tax. The bill would modify the tax treatment of income received by a foreign investor through a U.S. mutual fund so as to make it comparable to the tax

treatment of the same income when received directly or through a foreign mutual fund.

#### Interest

The Internal Revenue Code imposes a 30 percent withholding tax on dividends and certain types of non-portfolio interest received by foreigners. Portfolio interest (generally, interest on obligations issued in registered form after July 18, 1984) is exempt from the withholding tax. When a U.S. mutual fund receives interest income and distributes that income to shareholders, it is considered dividend income rather than interest—and is therefore subject to the withholding tax when received by foreign investors.

To provide comparable treatment, the bill would exempt from the withholding tax specified kinds of interest when distributed by a U.S. mutual fund to a foreign investor: (1) interest on obligations issued in registered form; (2) original issue discount, market discount, and acquisition discount; and (3) bank deposit interest. (These kinds of interest are currently exempt from the withholding tax if paid directly to a foreign investor.)

Present law generally does not exempt interest from the withholding tax for direct foreign investor in the case where the investor owns at least ten percent of the equity of the corporation issuing the bond. Similarly, the bill would not exempt from the withholding tax interest flowing through a mutual fund from a corporation to a ten percent shareholder in that corporation.

If the bill made no other changes, interest other than the kinds specified above, when received by a foreign investor through a mutual fund, would be taxable at 30 percent even if the investor was from a country that had entered into a treaty with the United States for taxation of interest at a lower rate. To avoid this, the bill includes a provision under which all interest received from a U.S. mutual fund by an investor would be accorded the same tax treatment as if the person had invested directly. The bill does this by characterizing all interest which flows through a U.S. mutual fund as interest (rather than as a dividend); once the interest is so characterized, the appropriate treaty provisions would apply.

#### Short Term Capital Gains

Under present law, short-term and long-term capital gains realized directly by foreign investors (including foreign mutual funds) are generally exempt from the withholding tax. U.S. mutual funds may designate long-term capital gains as capital gains dividends, and foreign investors are not subject to the withholding tax on those gains. However, short-term capital gains of a U.S. mutual fund are currently distributed as ordinary income dividends, and are therefore subject to the withholding tax when distributed to foreign investors.

To provide comparable treatment, the bill would exempt from the withholding tax short-term capital gains received by a foreign investor through a U.S. mutual fund. Capital gains would be calculated in the same way as under present law.

#### Estate Tax

Under current law, a foreign investor is not subject to U.S. estate tax on either (1) debt obligations whose interest is eligible for the portfolio interest exemption from withholding tax, or (2) certain amounts deposited in banks. These assets are deemed not to be property within the United States. However, a foreign investor is subject to U.S. estate tax under current law if these otherwise exempt assets are held indirectly through a U.S. mutual fund.

Under the bill, a foreign investor's fund shares would not be treated as property within the United States, and therefore would not be subject to U.S. estate tax, in the proportion that the assets would have been exempt from estate tax if held directly by the investor.

#### Effective Date

The bill's provisions would be effective with respect to taxable years of mutual funds beginning after the date of enactment.

#### SECTION-BY-SECTION ANALYSIS

##### SECTION 1—AMENDMENT OF 1986 CODE.

Section 1 of the bill states that, unless otherwise indicated, all references to a section or other provision shall be considered to be made to the Internal Revenue Code of 1986.

##### SEC. 2(A)(1)—FLOW-THROUGH OF INTEREST AND SHORT-TERM GAIN TO NON-RESIDENT ALIEN INDIVIDUALS.

Section 2(a)(1) of the bill provides a statutory mechanism by which regulated investment companies ("RICs") may distribute to nonresident alien shareholders certain interest income and short-term gains without tax under Code section 871. To accomplish this objective, section 2(a)(1) provides a proposed new Code section 871(k)—Exemption for Certain Dividends of Regulated Investment Companies. Subparagraph (1) of proposed new Code section 871(k) provides rules for "interest-related dividends" while subparagraph (2) provides rules for "short-term capital gain dividends."

#### Interest-Related Dividends

Proposed new Code section 871(k)(1) provides that certain nonresident alien shareholders shall be exempt from tax under Code section 871 on "interest-related dividends" and defines the terms "interest-related dividend," "qualified net interest income" and "qualified interest income." Proposed new Code section 871(k)(1)(B) provides three exceptions to the general rule in proposed new Code section 871(k)(1)(A) that no tax is imposed on interest-related dividends received by nonresident alien individuals. First, a RIC shareholder who also owns 10 percent or more of the stock of a corporation in which the RIC has invested will be subject to tax to the extent that any interest-related dividend received from the RIC is attributable to interest received from that corporation. Second, an interest-related dividend will be subject to tax unless the withholding agent receives certification that the beneficial owner of the RIC shares is not a U.S. person. Third, if a shareholder resides in a foreign country which is determined by the United States not to provide for the adequate exchange of information, interest-related dividends will be subject to tax.

An interest-related dividend is defined in proposed new Code section 871(k)(1)(C) as any dividend or part thereof which is designated by the RIC as an interest-related dividend in a written notice mailed to its shareholders not later than 60 days after the close of its taxable year. The maximum amount of a RIC's interest-related dividend for a taxable year is limited to the RIC's qualified net interest income, which is defined in proposed new Code section 871(k)(1)(D) as the amount of the RIC's "qualified interest income" reduced by the deductions properly allocable to such income. If the aggregate amount designated by the RIC for its taxable year as an interest-related dividend exceeds its qualified net interest income, only the pro rata amount of each distribution so designated will be an interest-related dividend.

The term "qualified interest income" is defined in proposed new Code section

871(k)(1)(E) to be the sum of three items: (1) any original issue discount on obligations payable 183 days or less from issuance date, (2) any interest includable in gross income on obligations issued in registered form, unless the RIC is a 10-percent shareholder in the corporation or partnership issuing the debt obligation and (3) interest on deposits with banks and certain other financial institutions.

#### Short-Term Capital Gain Dividends

Proposed new Code section 871(k)(2) provides that certain nonresident alien shareholders shall be exempt from tax under Code section 871 on short-term capital gain dividends and defines the terms "short-term capital gain dividend" and "qualified short-term gain." Under proposed new Code section 871(k)(2)(B), the only nonresident alien shareholders not exempt from tax under proposed new Code section 871(k)(2)(A) are those present in the United States for 183 days or more during the taxable year.

A "short-term capital gain dividend" is defined in proposed new Code section 871(k)(2)(C) as any dividend or part thereof which is designated by the RIC as a short-term capital gain dividend in a written notice mailed to its shareholders not longer than 60 days after the close of its taxable year. If the aggregate amount designated by the RIC for its taxable year as a short-term capital gain dividend exceeds its qualified short-term gain, only the pro rata amount of each distribution so designated will be a short-term capital gain dividend.

The term "qualified short-term gain" is defined in proposed new Code section 871 as the excess of the RIC's net short-term capital gain for the taxable year over its net long-term capital loss for such year. In determining the qualified short-term gain, any net capital loss or net short-term capital loss attributable to transactions after October 31 of such tax year shall generally be treated, consistent with the treatment afforded for net long-term capital losses, as arising on the first day of the next taxable year.

##### SEC. 2(A)(2)—FLOW-THROUGH OF INTEREST AND SHORT-TERM GAIN TO FOREIGN CORPORATIONS.

Section 2(a)(2) of the bill provides a statutory mechanism by which RICs may distribute to their shareholders organized as foreign corporations certain interest income and short-term gains without tax under Code section 881. To accomplish this objective, section 2(a)(2) provides a proposed new Code section 881(e)—Tax Not to Apply to Certain Dividends of Regulated Investment Companies. Subparagraph (1) of proposed new Code section 881(e) provides rules for "interest-related dividends" and subparagraph (2) provides rules for "short-term capital gain dividends."

In general, the rules in proposed new Code section 881(e) mirror those in proposed new Code section 871(k). One additional exception in proposed new Code section 881(e)(1)(B) to the exemption from tax for interest-related dividends paid to foreign corporations is that an interest-related dividend received by a controlled foreign corporation is taxable to the extent the dividend is attributable to interest received by the RIC from a person related within the meaning of Code section 864(d)(4) to such controlled foreign corporation. In addition, proposed new Code section 881(e)(1)(C) provides that the "special rules for controlled foreign corporations" that are contained in Code section 881(c)(4)(A) shall apply with respect to any interest-related dividend received by a controlled foreign cor-



poration to the extent that the dividend is attributable to interest that is received by the RIC on registered form obligations (as provided in proposed new Code section 871(k)(1)(E)(ii)) and is not described in clause (i) or (iii) of proposed new Code section 871(k)(1)(E).

#### SEC. 2(A)(3)—WITHHOLDING TAXES.

Section 2(a)(3) of the bill provides for amendments to the tax withholding rules for nonresident aliens and foreign corporations. Proposed new Code section 1441(c)(12)(A) provides that no tax shall be required to be deducted and withheld under Code section 1441(c) from payments to a nonresident alien shareholder, where the amount is exempt from tax under Code section 871 by reason of proposed new Code section 871(k). A comparable rule for shareholders organized as foreign corporations is provided by proposed modifications to Code section 1442(a).

A special rule provided by proposed new Code section 1441(c)(12)(B) exempts a withholding agent from the obligation to deduct and withhold tax on nonresident alien shareholders in two situations, unless the agent has knowledge that tax is due under Code section 871(k). First, no withholding will be required on the portion of an interest-related dividend that is attributable to interest received by the RIC on indebtedness issued by a RIC shareholder or any corporation or partnership with respect to which the RIC shareholder is a 10-percent shareholder, unless the RIC knows that the interest-related dividend is subject (at least in part) to tax. Second, no withholding will be required on short-term capital gain dividends paid to a nonresident alien shareholder present in the United States for 183 days or more during the taxable year unless the RIC knows that the short-term capital gain dividend is subject to tax.

A similar rule in the proposed modification to Code section 1442(a) would relieve the withholding agent from an obligation to deduct and withhold tax on the portion of an interest-related dividend paid to a controlled foreign corporation attributable to interest received by the RIC from a person related within the meaning of Code section 864(d)(4) to such controlled foreign corporation, unless the RIC knows that the interest-related dividend is subject (at least in part) to tax.

#### SEC. 2(B)—FLOW-THROUGH OF INTEREST BY DESIGNATION OF TAXABLE-INTEREST DIVIDEND.

Section 2(b) of the bill provides a statutory mechanism in Subchapter M of the Code by which a RIC may designate a taxable-interest dividend to its shareholders. Proposed new Code section 852(b)(10) defines the terms "taxable-interest dividend" and "net taxable interest income", identifies items treated as interest and provides that shareholders shall treat a taxable-interest dividend as interest.

The term "taxable-interest dividend" is defined in proposed new Code section 852(b)(10)(A) as any dividend or part thereof which is designated by the RIC as a taxable-interest dividend in a written notice mailed to its shareholders not later than 60 days after the close of its taxable year. The maximum amount of a RIC's taxable-interest dividend for a taxable year is limited to the RIC's net taxable interest income, which is defined in proposed new Code section 852(b)(10)(B) as the amount of the RIC's interest earned (other than amounts excluded from income under Code section 103(a)), reduced by deductions properly allocable to such income. If the aggregate amount designated by the RIC for its taxable year as a taxable-interest dividend exceeds its net tax-

able interest income, only the pro rata amount of each distribution so designated will be an interest-related dividend.

Proposed new Code section 852(b)(10)(C) defines the term "interest" to include amounts recognized as ordinary income in respect of original issue discount, market discount and acquisition discount.

Finally, proposed new Code section 852(b)(10)(D) provides that a taxable-interest dividend shall be treated by a recipient shareholder as interest.

#### SEC. 2(C)—ESTATE TAX TREATMENT OF INTEREST IN CERTAIN RIC'S.

Section 2(c) of the bill provides a new proposed Code section 2105(d) to exempt from U.S. estate tax certain RIC interests held by a nonresident not a citizen of the United States. In particular, proposed new Code section 2105(d) provides that RIC stock owned by such a nonresident would not be deemed property within the United States for estate tax purposes in the same proportion that the RIC's qualifying assets bear to the RIC's total assets at the end of the quarter of the RIC's taxable year that immediately preceded the decedent's date of death. The term "qualifying assets" is defined in proposed new Code section 2105(d)(2) to mean assets that, if owned directly by the decedent, would have been bank deposits and certain portfolio debt obligations (as described in Code section 2105(b)), certain debt obligation of domestic corporations that meet the foreign business requirements of Code section 861(c)(1) (and are described in the last sentence of Code section 2104(c)) and other property not within the United States.

#### SEC. 2(D)—TREATMENT OF RIC'S UNDER CODE SECTION 897.

Section 2(d) of the bill amends the special rules for dispositions of investments in United States real property that are applicable to investments in real estate investment trusts ("REITs") to provide comparable rules for investments in RICs. In particular, Code section 897(h)(2) would be amended to provide that shares of domestically controlled RICs would not be treated as U.S. real property interests, the disposition of which results in tax under Code section 897. In addition, Code section 897(h)(3) would be amended to ensure that any distribution by a RIC to a foreign person shall, to the extent attributable to gains from sales or exchanges by the RIC of an asset that is considered a U.S. real property interest, be taxed as gain recognized by a foreign person from the sale or exchange of a U.S. real property interest. Finally, Code section 897(h)(4) would be amended to define a "domestically controlled qualified investment entity" as any REIT or RIC in which less than 50 percent of the value of its stock is held directly or indirectly by foreign persons during the appropriate testing period (which is determined under Code section 897(h)(4)(D)).

#### SEC. 2(E)—EFFECTIVE DATE.

Section 2(e) provides that the amendments made by section 2 shall apply to dividends with respect to taxable years of RICs beginning after date of enactment.

### TRIBUTE TO CLEMENT SOFFER FOR RECEIVING THE DISTINGUISHED INTERNATIONAL SERVICE AWARD FROM YESHIVA UNIVERSITY

#### HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. ACKERMAN. Mr. Speaker, I rise to recognize the outstanding achievements of Mr. Clement Soffer, this year's recipient of the Distinguished International Award which will be bestowed by Yeshiva University on the 18th of May. The award will be presented at Yeshiva University's annual dinner, hosted by the Sephardic Council of Overseers.

Yeshiva University president, Dr. Norman Lamm, will present this prestigious honor to Mr. Soffer, in recognition of his invaluable help to secure the exit of 2,600 Jews from Syria. Mr. Soffer is vice president of the Council for the Rescue of Syrian Jews. His valiant and selfless efforts should truly be commended, and fulfills one of the most important mitzvot in the Torah, *pidyon sh'vi'im*, the redemption of captives.

In addition, Mr. Soffer performed an invaluable role in saving numerous Jewish cemeteries from being desecrated. His active efforts to halt the destruction of these cemeteries display the undying love and respect he has for his ancestors. The memorial cemeteries are located in Cairo, Egypt; Pinsk, Belarus; Faro, Portugal; Hamburg, Germany; and Cohin, India.

Mr. Soffer's overwhelming devotion to and love of his community are displayed in the myriad responsibilities he has undertaken. He is intimately involved in many facets of Sephardic life. He is a founding member of the Sephardic Council of Overseers, and serves on the board of the American Sephardic Federation, the executive board of International Sephardic Education Foundation, and is president of Chabad Congregation of Port Washington, NY. Mr. Soffer also serves on the board of Or-Yosef Yeshiva and the executive board of Tzedakah Umarpe.

Mr. Speaker, I would also like to acknowledge two other special award recipients at the Yeshiva University dinner. Rabbi Norman Lamm will present the Distinguished Humanitarian Award to Mr. Elie Tahari, and the Advancement of Higher Education for Sephardim Award will be conferred on Mrs. Nina Weiner. All three honorees have been an inspiration to the council, and have dedicated their lives to serving the Sephardic people and Klal Yisroel.

Honorary chairman of the dinner is the Haham, Dr. Solomon Gaon, director of the university's Jacob E. Safra Institute of Sephardic Studies. Honorary cochairpersons are Dr. Joseph Ates; Anna Elyachar; Ebrahim Eshaghian; Leon Levy; Aghajan Nassimi; the Safra family; Jay Schottenstein; and Ronald P. Stanton. The chief rabbi of the Syrian Sephardic community, Rabbi Jacob S. Kassin, is rabbinic chairman of the dinner.

The Sephardic Council, which was established in 1991, is a leadership body of prominent Sephardim that supports the broad spectrum of Sephardic academic, cultural, and

service programs at Yeshiva University. The council's remarkable work to raise money to provide scholarship assistance to many of its more than 300 Sephardic students is exemplary. The wonderful mitzvot performed by the council would not have been possible if it were not for people such as Clement Soffer.

Mr. Speaker, Mr. Soffer is an extraordinary person, and serves as an impeccable role model. I would like to applaud the noble efforts of Clement Soffer and the entire Sephardic Council.

**CAPITAN REEF MANAGEMENT  
CONSOLIDATION ACT TO EXPAND  
NATIONAL PARKS AND PRE-  
SERVE GEOLOGIC RESOURCE**

**HON. MICHAEL A. ANDREWS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. ANDREWS of Texas. Mr. Speaker, I have introduced legislation to expand and connect the Carlsbad Caverns National Park to the Guadalupe Mountains National Park by transferring a 5-mile strip of existing Federal land to U.S. Park Service jurisdiction.

My Capitan Reef Management Consolidation Act targets an approximately 24,840 acres which are part of the Capitan Reef complex, a world-renowned exposure of a Permian Age oceanic reef that is an educational Mecca for geologists and the most extensive exposure of its size in North America. The bill would increase by a third the Carlsbad Caverns National Park, while preserving the natural history and native culture of the area.

The site has one of the highest concentrations of significant caves and caverns on the continent, and is already home to the Carlsbad and Lechuguilla caves, making it one of the most renowned speleological sites in the world. The reef escarpment contains abundant examples of Indian rock art and a wide variety of trees and other plant life. Additionally, it provides paleontologists a rare opportunity to study unique prehistoric fossils like the extinct short-faced bear of the Pleistocene Age.

The escarpment is one long geologic unit that extends from the Guadalupe Mountains National Park in Texas northward into New Mexico and Carlsbad Caverns National Park. Although it's one unit, the escarpment's first 5 miles into New Mexico is managed by the Bureau of Land Management [BLM] and the U.S. Forest Service.

With the Park Service, Forest Service, and BLM, this reef is being managed in segments by three different Federal agencies which carry out three different missions. This is unnecessary and inefficient. It only makes sense that such a unique and important geologic resource be managed as one unit.

I learned of the Capitan Reef's world-class stature during a backpacking trip 2 years ago. I was surprised, however, by the reef's segmented management, and quickly recognized how a land transfer would benefit the resource as well as the surrounding communities. Expansion would only add to the almost \$50 million the Carlsbad Park generates for the local economy each year, along with supporting the

city of Carlsbad's efforts to attract a cave research institute.

My legislation does not directly alter the tax base, nor prohibit caving, camping, scientific research, or horseback riding. In fact, it should increase all these activities. I hope my colleagues will join me in preserving a truly extraordinary and irreplaceable resource, the Capitan Reef complex.

**A TRIBUTE TO JUDGE JUDITH  
KAYE AND THE YEAR OF THE  
WOMAN**

**HON. THOMAS J. MANTON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. MANTON. Mr. Speaker, the year 1992 has been called the Year of the Woman, and in New York State, 1993 is already shaping up as a sequel. On February 23, 1993, New York Gov. Mario Cuomo nominated Judge Judith S. Kaye as chief judge of the New York State Court of Appeals. Following Senate confirmation Judge Kaye became the first woman to hold this highest post in the New York State judiciary.

Judge Kaye clearly deserves this honor after an incredibly distinguished career as an attorney, scholar, and jurist. These accomplishments began the day she was graduated from NYU School of Law in 1962. At a time when the field was virtually closed to women, Judge Kaye paved a legal legacy that can make every citizen proud. In 1969, she became the first female associate of Olwine, Connelly, Chase, O'Donnell & Weyher, and in 1975, succeeded as the firm's first female partner. In 1983, she became the first woman appointed to the New York State Court of Appeals; the highest court in New York State.

Judge Kaye's illustrious career extends far beyond the legal realm and into the literary community as well. She has written over 35 books since 1987 on various subjects ranging from strictly legal issues to women's role in society. Her literary works are considered works of genius in the legal and social communities. She is well known as one of the greatest legal minds of our time.

One of Judge Kaye's greatest achievements is her role as an advocate for women's equality. Her actions and accomplishments have raised the status of all women. Throughout her career she has continued the fight for human rights. Her work in the field of human rights was recognized when she was named an honoree of the Black Bar Association of Bronx County. Among her many other awards have been, the Florence Allen Award from the Women's Bar Association and the New York University School of Law, Founders' Award from the New York State Women's Bar Association, and the Ruth G. Schapiro Memorial Award.

On April 29, 1993, Judith Kaye will follow in the steps of other great female jurists, including Marie Lambert and Betty Weinberg Ellerlin, and receive the prestigious Law Day Award presented by the New York State Trial Lawyers. The New York State Trial Lawyers have been in the forefront of promoting women's

rights and have been committed to the cause of justice and minority rights. They were the first statewide organization to have a woman, Hon. Marie M. Lambert, as president. Thereafter they had a second woman as president; Pamela Liapakes. The New York State Trial Lawyers are affiliated with the Association of Trial Lawyers of America, and Marie Lambert was the first woman elected to the National Association Board of Governors. Judith Kaye's prominent association with this organization shows her dedication to the cause of women and minorities in America.

Judge Kaye's talents as a jurist were recognized recently by Gov. Mario Cuomo in his letter to President Clinton concerning the nomination of a Justice to the Supreme Court. Governor Cuomo called Judith Kaye our own superb chief judge, and recommended her as a possible candidate to succeed Justice White. I hope my colleagues will join me in congratulating Judge Kaye on her latest achievement. I expect her to join the numerous other great jurists from New York who have advanced the cause of justice and equality.

**MS. HOLLY KEMP—WINNER OF  
VOICE OF DEMOCRACY CONTEST**

**HON. TOM DELAY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. DELAY. Mr. Speaker, as Memorial Day approaches, I would like to draw the Nation's attention to a program that the Veterans of Foreign Wars of the United States has been sponsoring for over 30 years. It is called the Voice of Democracy Broadcast Scriptwriting Program, and through this program over \$10 million have been awarded in scholarships to high school students. Participants must write and record a 3- to 5-minute script on an announced patriotic theme, which this year was "My Voice in America's Future."

I am very proud to say that one of my constituents, Ms. Holly Elizabeth Kemp, was a winner of the Voice of Democracy contest this year. A senior at Lamar Consolidated High School, Ms. Kemp was selected for 1 of 29 national scholarships out of the 147,000 students that participated in the program nationwide. Her script on her "voice in America's future" is not only patriotic, but also passionate and thought-provoking. It sets an example for other young people as they examine their role as citizens of these United States.

On Memorial Day, Americans will reflect upon the sacrifices that were made by those veterans who died defending our country and its ideals. It would do us well also to reflect upon Ms. Kemp's following words, which apply to all Americans:

While my generation lives in America's present, we are part of America's future and we must look to the past to understand why the rights we now have were so important for our founding fathers to fight for, and so important for us to defend.

I congratulate Ms. Kemp, and request that her entire script be entered into the RECORD, so that all may have the pleasure of reading it.



# MY VOICE IN AMERICA'S FUTURE (By Holly Kemp)

Oh say can you see America's future? I can. I am a part of its future, and the first time I truly felt a part of it was the summer before my fifth grade year. My friend's father had taken my friend and me to a Fourth of July celebration. Surrounded by the overwhelming crowds, the three of us joined hands in a chain so my friend and I could continue to watch the fireworks display as we left. Exhausted after the lengthy day, we were led over the rugged open field. Tired as I was, my eyes could not ignore the beautiful display of lights illuminating the sky with bursts of red, white, and blue. While stumbling on the uneven ground, tears welled up in my eyes and I felt goose bumps all over. At that moment I realized my intense love for America, and today, I am proud to be part of a country whose presence of colors can bring an overwhelming feeling of love, dignity, and pride. I can only hope that the people of America's future can share my deeply felt feelings of patriotism. But before we can hear my voice in America's future, we must first listen to what the voices of America's past and present have to say.

The voices of the past are those of our founding fathers. In discontent with the English government's treatment of the colonies, they founded their own country based on the principles of a limited government "for the people, by the people." They created a document, our Constitution, that has withstood the test of over 200 years and they secured the blessings of liberty for themselves and their posterity as they wished to do. The present United States is an embodiment of the blessings of liberty being carried from our Founding Fathers' day, for we are still a democratic country, and the envy of most nations.

But the voices of the present seem to forget this fact. These voices tell us that America is declining. Complaints of government programs and government spending and government anything run rampant. Perhaps the voices are forgetting something—we are still free. We have the right to take part in our government and if we have complaints we can change what our establishment plans to do. We have the right to a fair trial where we are innocent until proven guilty. We have the right to bear arms and defend this great country of ours if need be. But, most importantly, we have the right to have a voice. If we feel something is wrong with our establishment, we can make our views known without fear of persecution. The voices of the present are taking advantage of this right—and there is nothing wrong with taking advantage of it. By voicing our concerns about our country, in essence, we are showing how great it truly is.

What do people expect my voice in America's future to say? In a 1952 speech to an American Legion Convention, Adlai Stevenson said "Patriotism is not a short and frenzied outburst of emotion, but the tranquil and steady dedication of a lifetime." The support of Desert Storm and the voter turnout of the recent presidential election are perfect examples of the outbursts of which Mr. Stevenson spoke. While a great deal of support followed the men and women in the Persian Gulf, the rallies and Americana items were not around for long after the war. In the recent election, a large number of voters turned out who had never bothered to vote before. These "short and frenzied outbursts" can become a lifetime dedication when consistently supported. As an adult, I plan to support my country by consistently

voicing my patriotism and consistently voting. But more importantly, I plan to possess the "tranquil and steady dedication of a lifetime" by bringing up a strong family, and educating America's group of future leaders, our country's youth. America has a bleak future without strong families. One of my ambitions is to be a great parent and role model for my children and bring them up with the high moral standards my parents have taught me. When the difference between right and wrong is defined and a choice is given, children who were reared with high morals will make the right choice and continue to make the right choices in adulthood. When America is handed over to my generation, I also aspire to become an educator, since I believe educators are people who can make a huge difference in this country. A great educator can inspire people to work up to their true potentials when they may have been underestimated before, and a great educator can provide the knowledge to allow their potentials to be fully developed. This country can only continue to be a beacon for the world when it is populated with productive people who are the product of caring parents and educators. These people realize the importance of the freedoms, rights, and liberties of our country.

While my generation lives in America's present, we are part of America's future and we must look to the past to understand why the rights we now have were so important for our founding fathers to fight for, and so important for us to defend. When America's future becomes America's present, it will be my generation's responsibility to protect these rights of all who sit under the exploding lights of American celebrations, in this land of the free, this home of the brave.

## TRIBUTE TO EMMA LEE TURNER

### HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. SMITH of Michigan. Mr. Speaker, on May 11, 1993, a very special woman in Jackson, MI, will join the octogenarian club. Known to family, friends, and acquaintances in Jackson, Chelsea, and Dexter as a woman of extraordinary verve, compassion, wisdom, strength of character, decency, and generosity, Emma Lee Turner has truly made the past 80 years a gift of love and joy to those fortunate enough to know her. A celebration will be held on Mother's Day in her honor. For those whose lives have been touched by her, it will be a celebration in the fullest sense of that word.

Emma Lee Bugg began this life modestly. Born the second of three children on a small farm in Fulton County, KY, and orphaned at the age of 13, Emma Lee was forced to be independent at a young age. As she cared for a dying mother and then helped raise her younger brother, Emma Lee managed to get an education and at the age of 18 moved to Jackson, MI, to live with an aunt and uncle and seek employment. While in Jackson, she was introduced to a handsome suitor from Kentucky, Conrad Turner, who quickly stole her heart and became her lifelong companion. Struggling through the devastation of the Great Depression, Emma Lee and Conrad moved from Jackson to Chicago in search of

work before finally settling down in Dexter for the majority of their adult lives. She would ultimately retire as an inspector with Dexter Automatics.

Emma Lee gave birth to two children, Shirley Jean and James Richard, who were instilled with the values of hard work, honesty and integrity, dedication to learning, and love for country that Emma Lee believes is so important for a successful, fulfilling life. They would both take these lessons and make their own lasting contributions to society. Emma Lee has 8 grandchildren and 10 great grandchildren, all of whom adore her. For them, some of their fondest memories of childhood were weekend trips to grandma Turner's and the delectable Sunday feast following church. For her children and grandchildren, Emma Lee remains a towering figure of goodness and unflagging morals, a heroine, an ideal—the embodiment of the best that they will strive to become.

Emma Lee's natural curiosity and quest for knowledge has taken her and Conrad to all 50 States. A faithful servant of God, Emma Lee attends church regularly and reads the Bible frequently. She keeps current on world events and can hold her own in family debates on public policy issues.

A great cook, philosopher, teacher, friend, coworker, mother, and grandmother, Emma Lee has left an indelible mark on the lives of many. On May 11, when Emma Lee Turner turns 80, her family and friends will thank the Lord for her life.

## FAIRNESS IN PRODUCT LIABILITY ACT

### HON. J. ROY ROWLAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. ROWLAND. Mr. Speaker, today I introduce the Fairness in Product Liability Act of 1993. This legislation has the bipartisan support of 33 additional cosponsors.

Almost everyone knows that our liability system is in need of repair. As a medical doctor, it is disturbing to read of the decline in research in pharmaceuticals and other medical devices.

Recently, Science magazine stated that a careful examination of the current state of research to develop an AIDS vaccine "shows that liability concerns have had negative effects." It points out that Genentech, Inc. halted its AIDS vaccine research. When its partners expressed liability concerns, Immune Research Corp. had to delay human trials for its vaccines. And, Bristol-Myers Squibb abandoned one promising research approach. We are a nation crying for a declaration of war on the problem of AIDS, yet we aren't giving our troops the weapons to fight the battle.

Liability problems, of course, are not tied exclusively to medical advances. "The Liability Maze," published by the Brookings Institution, points out that everyone is hurt under present product liability laws:

Consumers pay the bill for product liability suits in every product they buy—from football helmets to ladders to essential vaccines.

Consumers have lost the benefit of products that have been withdrawn from the marketplace because of product liability concerns.

When exorbitant liability suits put companies in financial jeopardy or out of business, workers lose jobs and consumers lose access to vital products.

A critical change in the objectives of provisions sparked my interest in product liability legislation—and has resulted in the renewed and evergrowing momentum behind it. This legislation seeks to ensure uniformity, and to place responsibility for accident prevention in the hands of those best able to prevent it.

Uniformity is vital to give our manufacturers a consistent set of rules by which they can manufacture products—the current hodgepodge of 51 separate and disparate laws sends mixed messages and allows plaintiffs lawyers to shop for the State where the laws are most favorable to their client. Governors recognize this. Almost 2 years ago, after finding that the current system causes inflated prices for our consumer goods, the discontinuation of necessary product lines, and our international competitiveness was adversely affected, the National Governors' Association unanimously called on Congress to enact a Federal product liability system.

As I stated earlier, this bill is almost identical to the legislation last year. The one significant change we made was in the worker's compensation section. The change resolves a debate between manufacturers and employers from recovering workers compensation from manufacturers of a product that injured one of their employees. This year's bill states that the manufacturer must prove by clear and convincing evidence that the employer was at fault for the injury. The amendment still meets my objective to encourage employers to maintain a safer workplace.

Congress must bring certainty to our Nation's product liability laws. Our consumers cannot afford to continue to pay the liability tax that is imposed on all goods sold here. Finally, I cannot emphasize strongly enough that our bill seeks fairness for all, not just business, not just consumers, but for all of us.

#### PENSION PORTABILITY IMPROVEMENT ACT

**HON. SAM GIBBONS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GIBBONS. Mr. Speaker, I am pleased to rise today to introduce the Pension Portability Improvement Act of 1993, H.R. 1874. The purpose of this legislation is to increase the adequacy and efficiency of the Nation's private pension system by reducing pension vesting requirements, improving the portability of earned pension benefits, and encouraging the preservation of such benefits for use in retirement.

Far too many working Americans incur substantial reductions in pension benefits as a result of job changes during their working careers. And if recent events are indicators of future trends, the frequency of job and even career changes will increase markedly in the

years ahead. More and more companies are scrambling to reduce costs in response to continuing cutbacks in defense spending, increasing foreign and domestic competition and structural changes in the American economy by laying off thousands of managerial, professional, production, and support service workers.

#### HOW JOB MOBILITY REDUCES PENSION BENEFITS

Mobile workers who are enrolled in employer-sponsored pension plans lose income in retirement if they change jobs before earning a vested right to a pension benefit; if their benefits are based on salary and years of service and cannot be transferred to another plan; or if they spend rather than save cashed out pension benefits when they change jobs.

When workers move from one job to another, their Social Security benefits move right along with them. But if they change jobs before working at least 5 years for a company that offers private pension benefits, they stand to lose some or all of those benefits. If their employers offer 401(k) plans, they'll get the money they invested in the plan but they'll have to give up most, or all, of their company's contributions. Why? Because regardless of the type of pension coverage offered, current law calls for at least 5 years of continuous service before covered workers become fully vested—that is, acquire a legal right to benefits—in their company's plan.

And that's a real problem since the current job tenure for the typical worker is only 4.5 years, just 6 months short of the time required to become fully vested in most pension plans. Women workers, whose median tenure is only 3.7 years, are even more disadvantaged by current vesting standards.

Job mobility losses are particularly severe for workers who are enrolled in defined benefit plans. Although such plans can reward long tenured workers with generous pensions, they pay much smaller benefits to mobile workers since promised payments are based on final salary and years of service and are usually not transferable when workers change jobs. And because the amount of the benefit is frozen it loses real value to inflation between job termination and retirement.

The value of assets in defined contribution plans, on the other hand, is based solely on amounts contributed to the plans and the market performance of the fund(s) in which they are invested. And since defined contribution plans routinely transfer accumulated assets to terminating employees, vested workers can avoid job mobility losses by reinvesting their cashed out benefits in individual retirement accounts [IRA's] or other retirement savings plans following changes in employment.

In spite of adverse tax consequences, however, many workers who have received cashed out pension benefits at job termination have elected to spend some or all of those benefits instead of saving them for retirement.

#### HOW H.R. 1874 WILL REDUCE JOB MOBILITY LOSSES

The legislation that I am introducing today will go a long way toward reducing the losses in pension benefits that currently result when workers change or lose their jobs. H.R. 1874 is needed to reduce restrictive vesting requirements; to guarantee the portability of earned benefits, and to promote the preservation of such benefits when workers change jobs.

More specifically, the current cliff vesting requirements will be reduced from 5 years to 3 years for single-employer plans and from 10 years to 5 years for collectively bargained multiemployer plans. In addition, the current 3- to 7-year graded vesting standards will be reduced to 1- to 5-year graded vesting standards.

Pension portability will be improved by guaranteeing all vested plan participants the right to transfer their earned benefits to individual retirement accounts [IRA's] or to other portable pension plans following changes in employment. Amounts to be transferred will consist of the present value of each participant's future benefits in a defined benefit plan or the vested account balance in a defined contribution plan. The present value of preretirement transfers from defined benefit plans will be calculated using a formula designed to protect the purchasing power of such benefits from the adverse effects of inflation.

Preservation of preretirement distributions of earned benefits will be encouraged by providing for the direct transfer and reinvestment of such distributions in individual retirement arrangements, individual account plans, simplified employee pensions, or other portable pension plans that can accept such transfers. An added benefit will be that terminating employees will be shielded from the 20 percent withholding requirements that were enacted in 1992 to help pay for an extension of Federal unemployment benefits.

My bill also includes a number of important protections and safeguards that will benefit mobile workers. Transfers of earned pension benefits will be subject to current rules governing allowable distribution forms, timely notification of participants and spousal consent requirements. Portable plans will also be required to meet certain asset control tests in order to qualify for the receipt of direct transfers of earned benefits from other tax-qualified plans.

H.R. 1874 will also allow certain collectively bargained plans that already provide for portability of pension benefits to be exempted from the applicability of the proposed law.

Mr. Speaker, Members of Congress have long been concerned about the pressing need to improve the portability of pension benefits. For almost as long as I have been in Congress, we've been talking about making pensions portable. The bill that I am introducing today will enable us to do something about this very important problem. The modest reforms it contains are long overdue and are urgently needed to reduce the substantial pension losses that currently result when pension plan participants change or lose their jobs.

Thousands of engineers, nurses, and other health care providers, scientists, teachers, and other increasingly mobile workers in the goods producing and service sectors of the American economy will benefit directly from prompt enactment of H.R. 1874. I'm very pleased to announce that the bill has been endorsed in principle by representatives from 18 national engineering societies, including the Institute of Electrical and Electronic Engineers. Together these organizations represent over 800,000 engineers and scientists in all parts of the country. A number of national women's organizations, including those belonging to the wom-



en's pension policy consortium have also expressed strong support for reforms contained in the bill.

# INTRODUCTION OF THE PRIVACY FOR CONSUMERS AND WORKERS ACT OF 1993

**HON. PAT WILLIAMS**

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. WILLIAMS. Mr. Speaker, I rise today to introduce the Privacy for Consumers and Workers Act of 1993. This legislation was reported by the Education and Labor Committee in the 102d Congress—H.R. 1218; House Report 102-1024—and had more than 165 bipartisan cosponsors.

My Subcommittee on Labor Management Relations held two hearings on this issue in the 102d Congress on June 11 and July 23, 1991. Earlier, in the 100th Congress, the Subcommittee on Courts, Civil Liberties, and the Administration of Justice held a hearing on a similar bill, H.R. 1950, on July 15, 1987.

This legislation is intended to protect employees by providing them with a right to know when they are being monitored or recorded electronically while performing their jobs. The bill would require employers to give employees prior notice when they are being monitored electronically as well as to disclose the types of monitoring being used.

The legislation includes provisions which: Require all monitoring to be relevant to the employee's work performance; guarantee an employee's access to data collected about his or her work performance; and limit disclosure and use of this data by the employer. My bill would also bar employers from collecting data about their employees' exercise of first amendment rights, such as contacts with union representatives.

Why is this legislation necessary? Perhaps the most glaring statistic is the number of people being monitored. In 1987, the Office of Technology Assessment estimated that 6 million workers were being monitored. According to the National Institute for Occupational Safety and Health, 66 percent of all computer operators are monitored. With the computerized work force now standing at 40 million, it is estimated that as many as 26 million workers may be under computer surveillance. Where once only a few kinds of workers such as telephone operators and airline reservation agents were monitored, new technological capabilities now track employees from truck drivers to nurses and journalists.

How does this occur? Computer companies now provide their customers remote control local area network [LAN] products, which allow secret monitoring of other PC's on the network. According to the May 13, 1991, issue of Infoworld, there are currently 11 such programs in existence. One product gives the user the power to take remote control of a user's screen. Another advertises its ability to, "look in on Sue's screen. You monitor her for awhile. In fact, Sue doesn't even know you're there." Such scenarios surely call into question the legal and ethical ramifications of electronic monitoring.

The Massachusetts Coalition on New Office Technology conducted a survey of almost 700 employees from 49 companies in a dozen industries. Among the survey findings was that 65 percent of the employees could not do a quality job because they have to work too fast. Many other studies show that monitoring not only causes employee stress, but also adversely affects business productivity.

Let me comment on electronic monitoring in the workplace with one final point. Under current law, the Federal Bureau of Investigation, pursuant to the fourth amendment's prohibition of search and seizure, is required to obtain a court order to wiretap a telephone. That requirement even extends to cases involving national security. Does the law require this for workplace monitoring? No. Workers can be listened to without even the courtesy of notification, but people suspected of criminal behavior by the FBI are afforded the protection of court action prior to wiretapping. Is this a consistent interpretation of "search and seizure" under the fourth amendment? Shouldn't workers be protected from covert monitoring when our Constitution protects anyone suspected of criminal behavior? To do otherwise would be to deny America's workers comparable treatment. It seems only fair that, at the very least, employers should be required to give notice to workers when they are being monitored.

Today, I am introducing legislation that is very similar to last year's H.R. 1218 as reported. There are modifications to accommodate interests of the Energy and Commerce Committee as well as members of the Education and Labor Committee. There are also minor changes in the structure of the legislation. This legislation extends coverage to the Senate whereas the House-reported bill last year only extended coverage to the House. All of these changes are designed to make the legislation easier to comprehend and implement.

## NATIONAL HOLOCAUST MUSEUM OPENING

**HON. GARY A. FRANKS**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. FRANKS of Connecticut. Mr. Speaker, I rise today to recognize today's opening of the U.S. Holocaust Memorial Museum. This museum will serve as a reminder to the American people of the horrible atrocities that led to the annihilation of 6 million Jews in Nazi Germany.

I believe it is important that we never forget this dark episode in global history. This museum will provide a monument to those individuals who gave their lives in the Nazi death camps like Auschwitz, and to those who survived the inhuman ordeal. I feel it is important that our children learn about this tragic event, so we can ensure that it never happens again.

The museum will also honor those who stood up to the Nazis. In 1943 several hundred young Jewish men and women held off a heavily armed battalion of 2,000 Nazis in the Warsaw ghetto before it was burned to the ground. Additionally, the Catholic Church is

also recognized for their efforts in producing fake baptismal certificates, underground railroads, and convents and monasteries to assist the Jews.

Mr. Speaker, in the summer of 1991 I traveled to Israel, and during my stay I viewed first hand the Israeli memorial to the victims of the Holocaust. I was moved by this visit, and I am glad that Americans will have a similar memorial to learn about and pay tribute to the victims of the Nazi extermination.

The Holocaust was certainly among the darkest moments in history. I hope we have learned from this terrible period in human history that we must rise up against bigotry and hatred based on religion or race. I believe it is the responsibility of the democracies of the world to band together and prevent this tragedy from ever occurring again. During the Holocaust, many nations including the United States closed their borders to Jewish refugees. We must not let history repeat itself, for standing silent is as equally destructive as pulling the trigger itself.

Today we face a new challenge in Bosnia. The Serbian ethnic cleansing program is shockingly similar to the bigotry and hatred that led to the Holocaust. We must act to prevent these atrocities from continuing and we must provide assistance to those who reach out for it.

Finally, Mr. Speaker, I would like to express my gratitude to all of the individuals whose hard work and dedication led to the opening of the U.S. Holocaust Memorial Museum.

## MARGARET M. IRONS HONORED

**HON. CURT WELDON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. WELDON. Mr. Speaker, I rise today to honor Miss Margaret M. Irons, a devoted leader, dedicated teacher, and active and caring member of my community. Miss Irons, soon retiring from Grace Park School in Ridley school district, has been a valuable member of its faculty for over three decades.

Miss Irons received her high school diploma in 1955, graduating from Notre Dame Academy, one of the finest all-girls private schools in the area. She continued her hard work and dedication at West Chester State Teacher's College and in 4 years earned her bachelor of science.

On September 8, 1959, Miss Irons began her teaching career at Grace Park and has been teaching the third grade ever since. In addition, she has been an active member on school district leadership committees. She retires as a member of the Elementary Social Studies Task Force, the Grace Park School Community Advisory Council, and the Ridley School District Long Range Planning Committee.

Beyond her teaching success, the community has been grateful for her active participation outside of the classroom. Miss Irons has been an enthusiastic fundraiser for the Ridley Education Association scholarship committee. In addition, she has been an active member of Catholic alumni groups and various Catholic

charity and service groups. On June 18, 1993, the Ridley School district and its surrounding community will deeply regret the retirement of a dedicated teacher, who is well known for her activism, assistance, and concern for her community. I join the entire community in wishing Miss Irons well in her retirement and whatever future endeavors she will undoubtedly pursue.

# AQUINAS CHAMPIONS

## HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. DINGELL. Mr. Speaker, I rise today to recognize members of the Southgate Aquinas High School basketball team, which is located in my congressional district. The Raiders recently capped a 28-0 season by capturing the 1993 Class C State championship title. Along with winning the championship Aquinas had many other successes this year. The team was the first Catholic school to win the Detroit City championship, Operation Friendship, since the mid-1980's; they captured the Catholic League Championship, as well as winning the Aquinas Christmas Tournament.

With their outstanding 28-0 record, Coach Ernie Price and the team accomplished everything they could dream of and more. The great season led to many deserving personal awards.

The first of these awards was when player Jon Garavaglia was honored with the Hal Schram Mr. Basketball Award. He has been only the second Downriver player to have been honored to receive this award, he was also named to the McDonald's All-American Team, to the first team All-State all classes, to the first team All-Catholic, Downriver Dream Team, and as a member of Nike All-American team.

The awards and talent on the Aquinas basketball team did not stop there, sophomore sensation Jason Singleton was named to the second team All-Class C, the first team All-Catholic, and a member of the Downriver Dream Team. The teams' assist leader was Antoine Campbell who was also named first team All-Catholic, first team all area, and 5th team all State. T.J. Emerick was yet another outstanding player essential to the team success. His defense was about the best on the team. Emerick was also named first team All-Catholic, and first team All-Area. Eron Mitchell and Lawrance Simmons were both named second team All-Catholic and honorable mention in all league and All-City.

Aquinas was expected to win the State finals from the beginning. The trip to the basketball finals was, however, the first in school history. What they lacked in final experience they made up for with team experience. Three of the starters have been starters since their sophomore year and four of the starters are seniors.

I am proud to extend a special salute to the Aquinas Raiders. The school has a tradition of scholastic excellence and athletics. I also salute head coach Ernie Price, his staff and the young men who made up this winning team.

Staff; Principal, Rich Kuhn; athletic director, Ernie Price; head coach, Ernie Price; assistant

# EXTENSIONS OF REMARKS

coaches, Jim Perry, Mike Laginess, and Bill Elkin.

Players: Jon Garavaglia (senior starter); T.J. Emerick (senior starter), Lawrance Simmons (senior starter), Antoine Campbell (senior starter), Jason Singleton (starter), Aaron Burke (senior), Mark VanDenBergh (senior); Brad Wilkerson, Eron Mitchell, Mike Silmon, John Cooper, Tom LaComb, Nate Purcell, Kelvin Sanders, Phil Pollick, and Russ Martin.

## SAMUEL E. ULERY HONORED

### HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GILLMOR. Mr. Speaker, I would like to take this opportunity to recognize an exceptional young man from my district who has recently accepted his appointment as a member of the Class of 1997 at the U.S. Air Force Academy.

Samuel E. Ulery will soon graduate Oak Harbor High School after 4 years of outstanding academic achievement as well as extra-curricular involvement. During his high school career, Sam has distinguished himself as a student-athlete and as a leader among his peers, serving as captain of the track team and captain of the football team. He has served as president of Teen Leaders, vice president of his class, and as a member of the student council.

Mr. Speaker, one of the most important responsibilities of Members of Congress is to identify outstanding young men and women and to nominate them for admission to the United States service academies. While at the Academy, they will be the beneficiaries of one of the finest educations available, so that in the future, they might be entrusted with the very security of our Nation.

I am confident that Sam Ulery has both the ability and the desire to meet this challenge. I ask my colleagues to join me in congratulating him for his accomplishments to date and to wish him the best of luck as he begins his career in service to our country.

## INTRODUCTION OF THE MARINE BIOTECHNOLOGY INVESTMENT ACT OF 1993

### HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. STUDDS. Mr. Speaker, today I introduced the Marine Biotechnology Investment Act of 1993. The purpose of this bill is to stimulate research and development in marine biotechnology through a program of grants administered by the National Sea Grant College Program. Sea Grant has a 26-year track record of supporting applied marine research and development and is the ideal guardian of this initiative.

After millennia of unregulated use, mankind's capacity to exploit and pollute marine resources has outstripped the ocean's amaz-

ing capacity to heal itself and replenish its bounty. Fisheries stocks are depleted from a combination of overfishing, the effects of coastal pollution, and habitat destruction. Pollution has closed large areas to shellfishing while disease decimates many of those oysterbeds that remain open. Oil spills occur with alarming frequency, soiling previously pristine shorelines.

Why is this happening? Unfortunately, once again, we are the problem. More and more of us are competing for fewer and fewer resources.

When this Nation was young the wealth of natural resources available to our forefathers was as vast as the oceans themselves. Today, the world is a much smaller place, and even the oceans have a limit to their bounty. Our challenge now is to learn to conserve, manage and, yes, even enhance, the raw materials that nature provides. We must learn how to help the oceans produce more. The alternative—the unacceptable alternative—is to continue the exploitation of these resources until they are completely exhausted. This is not the legacy we should leave for the future inhabitants of this water planet.

We must turn our technology toward increasing production—growing more fish—instead of more efficient capture. By developing vaccines and enhancing the processes that make fish grow, biotechnology may dramatically increase the productivity of aquaculture.

We must also apply modern biological techniques to the untapped reservoir of genetic raw material found in the oceans. So far, the results are very promising, and have yielded adhesives, lubricants, anti-inflammatory drugs, and anti-fouling agents, to name but a few examples.

For a number of years, the Federal Government has spent about \$4 billion dollars annually on biotechnology research. Of this amount, less than \$44 million per year, or slightly more than 1 percent, has been spent on marine biotechnology. The great promise of marine biotechnology in food production, pharmaceuticals, and industrial applications, cannot be realized with this minuscule level of support. The Marine Biotechnology Investment Act addresses this imbalance by seeking to increase investment in marine applications.

To make these scarce Federal dollars go further, my bill requires non-Federal sources to supply one-third of the cost of each project. By requiring this investment up front, this also solidifies the commitment of the non-Federal source to the project. Proposals for research, technology transfer, and educational projects will be reviewed by a national panel of experts in marine biotechnology to ensure that only those of the highest quality are funded.

Mr. Speaker, there has been a lot of discussion about the need to create more jobs and a lot of disagreement on how to do it. Here's a good way. This legislation will give the green light to an industry that is extremely promising, not just in coastal regions but nationwide. Marine biotechnology creates the high-wage, high-skill jobs that our Nation so badly needs. In addition, by increasing the production of aquaculture and creating better methods of environmental remediation, this technology can help heal our wounded oceans.

The United States is the world leader in marine biotechnology. But this lead is being chal-



lenged and eroded by our competitors. The time to invest in U.S. industry is now, and the place to invest is here.

I urge my colleagues to cosponsor and support this legislation.

# INTRODUCTION OF THE WELFARE REFORM AND RESPONSIBILITY ACT OF 1993

**HON. ROBERT E. WISE, JR.**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. WISE. Mr. Speaker, today I introduced the Welfare Reform and Responsibility Act of 1993, a bill designed to make the welfare system more accountable by moving people from the welfare roll to the payroll and to help support them once they get a job.

My bill would require all eligible welfare recipients who are not enrolled in education or job training programs to participate in a work experience program in their community. Our country has a wide range of unmet public needs in areas such as public works, parks, nature preserves, community organizations, volunteer organizations and schools. I believe that instituting a community work program such as the one included in my bill will give welfare recipients valuable work experience and a sense of dignity, and will help society in the process.

My bill has several incentives to help former welfare recipients stay off the welfare rolls and on the payroll, including provisions to permit welfare recipients to keep more of their earned income. This would encourage recipients to find jobs to supplement their benefits and, eventually, to move into the work force.

My legislation also addresses two of the biggest obstacles that welfare recipients face in retaining a job by extending the eligibility period for former welfare recipients for medical and child care assistance.

Enforcement must be part of any comprehensive welfare reform legislation. My bill would create welfare review panels in each state comprised of former State judges. These panels would review welfare cases after 2 years to evaluate each client's participation in the JOBS and work experience programs. The panels would also be empowered to reduce AFDC benefits if the participation requirements are not met.

My bill would also:

Combat welfare fraud by requiring States to establish, staff and publicize 24-hour 1-800 telephone numbers for reporting welfare fraud and abuse claims;

Require States to develop individual employability plans, including specific goals and timetables, designed to move each welfare recipient from welfare to work in 2 years;

Make previously appropriated Federal JOBS job training money more accessible to States hard hit by the recession and unable to make the State match;

Support the family by requiring States to establish parenting classes and to make them available for all teenage parents, and

Provide incentives for the use of certain contraceptives.

I believe that this bill, which builds on the successful elements of the 1988 Family Support Act, represents a comprehensive and balanced approach toward moving welfare recipients from welfare to work.

# THE LESSONS OF WACO MUST NOT BE IGNORED

**HON. MAJOR R. OWENS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. OWENS. Mr. Speaker, some of the most deadly elements of American culture came together in Waco, TX. The result was a bizarre tragedy which exploded in the face of a world struggling to maintain a foundation for a human civilization. Far more important than the need to fix blame on individuals, there is an urgent need to carefully analyze this landmark disaster for the purpose of cleansing our society of these kinds of poisons.

The glorification of violence; the official permissive position which allows the proliferation of guns and weapons; the self-serving distortion of the second amendment by the National Rifle Association; the macho mind-set of the ATF, the FBI, and other law enforcement agencies; the adoration of celebrities who achieve their 15 minutes of media fame disregarding all moral standards; the continuing trivialization of the need to take all measures necessary to ensure the basic health, welfare, and safety of children; the continuing refusal of the Government to take minimum steps to protect citizens from racketeering religious enterprises like the cult of David Koresh; all of these elements came together at Waco.

We can assume that probably most of the adults who died in the Waco inferno were responsible for their own fate. But for all of the children who died in that inferno we must all bear part of the burden of blame: Every legislator at any level of government who has not aggressively pushed for new laws to limit the proliferation of guns and other deadly weapons is guilty. Every adult who has failed to speak out against the television, videos, and films which indoctrinate our youth with a glorification of violence is also guilty. Every voter who refuses to demand laws and appropriations which offer greater protection for children is guilty. The blood of the innocent children who died at Waco is on the collective hands of our total society.

Beyond the blame we must dedicate ourselves to intense analysis and aggressive action to guarantee that what happened to the children of Waco will not be allowed to happen again. Each one of the elements listed above must be purged from our society.

Mr. Speaker, to graphically document the bizarre tragedy at Waco the rap poem below attempts to enter the mind of David Koresh. This is a mind that has been shaped by the fecal elements of our American culture.

THE LAST WACO RAP OF RAMBO DEVIL DAVID

Let's get it on  
ATF FBI NRA  
We are one  
All worshippers of the  
Almighty gun

Turn out reason's light  
Among Rambo brothers  
Waco is a family fight  
Patience leave to liberals  
And child loving wimps  
Action is the credo  
Of second amendment pimps  
Let mothers cry  
But kids must die  
Under beautiful  
And spacious skies  
This celebrity prophet  
Tells you no lies  
I am that I am  
All American David  
Descendant of the second amendment  
My gun club is in hell  
Rambos with rifles and rights  
We are a special race  
To negotiate  
Is a tribal disgrace  
Let's get it on  
Our bunker is wired  
Your hostage team is tired  
Taxpayers demand an end  
Waiting wastes their  
Money again  
Let's get it on  
Some kids will be killed  
Monster media will be thrilled  
Your hostage team is tired  
Send for reinforcements  
Hand a rifle  
To Macho Ross Perot  
Rambos all let's to  
O say can you see  
A few pages of history  
Reserved just for me  
Your hostage team is tired  
Stand Navy out to sea  
From Montezuma's halls  
Send the Marines to get me  
Let's get it on  
Green Berets  
Stop lazing around  
Send your baddest  
To Waco town  
Let's get it on  
Stop envious  
Feminists gripes  
Let Lady Janet  
Instantly earn her Rambo stripes  
My country tis of thee  
Honors go to all those  
Who shoot and  
Die with me  
Loyal rifle patriots  
Stay on your knees  
Earn the highest medals  
Granted in Hades  
My time on TV  
And a place in history too  
Confess your sins  
Admit I entertained you  
Technicolored flames  
With authentic certified heat  
On camera explosions  
All real neat  
To see Stallone  
The poor have to pay  
My church  
Served free thrills  
Day after day  
All American David  
I am that I am  
Descendant of the second amendment  
And it must come to pass  
A prophet of my class  
Is destined to do his thing  
Waco must top the charts  
Gently drinking laced lemonade  
Jim Jones' team was just  
A bunch of thirsty tarts  
Charles Manson was a midget

Your hostage team is tired  
 Where are the paratroops  
 Drop your best shots  
 Down from the sky  
 Little David stands here  
 With wives and kids  
 All mandated to die  
 I am that I am  
 Me the angry almighty  
 Hurling headlong  
 From heaven  
 Oh yes some kids  
 Will be killed  
 In the flames  
 Blood red hearts glare  
 Tiny lungs burst  
 For the lack of fresh air  
 Let's get it on  
 ATF FBI NRA  
 We are one  
 All worshippers of the  
 Almighty gun  
 ATF FBI NRA  
 I wish you well  
 I go to prepare  
 A place for us all  
 On the great rifle range  
 At the bottom of hell.

#### RURAL HEALTH CARE INITIATIVES OF 1993

**HON. JON KYL**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. KYL. Mr. Speaker, I rise today to join a number of my colleagues from both sides of the aisle in introducing a series of legislative initiatives to improve the way our Nation's health care delivery system provides care to rural America.

Mr. Speaker, I would like to commend the two cochairmen of the bipartisan Rural Health Care Coalition, Mr. STENHOLM of Texas, and Mr. ROBERTS of Kansas for their leadership on this issue. The coalition has been extremely effective in addressing the health care needs particular to rural areas of our Nation.

Mr. Speaker, while we are waiting to see what the First Lady's Task Force on Health Care proposal will look like, I am interested in moving forward to meaningfully and sensibly reform our health care system in order to curb the rise in health care costs, and expand coverage to the uninsured. We must also preserve the high quality of care that is available, and preserve choice in our system. And, it is critical that in our efforts to improve our health care system, we do not forget the unique needs of States like Arizona. Comprehensive reform of our health system must not be so rigid as to ignore the diversity in our Nation's populations, and the special needs of rural Arizona and America.

Mr. Speaker, let me briefly outline just what the three pieces of legislation I have cosponsored would do.

The first bill, H.R. 1774, authored by Congressman GUNDERSON, would permanently authorize the Rural Health Outreach Grants Program. Outreach projects provide emergency medical services in rural communities, provide ambulatory health and mental health services, provide health services to seniors, and they have reduced infant mortality in rural communities.

In Arizona, several rural communities have formed coalitions under the program guidelines and have provided needed services to Arizonians. Let me cite a few examples:

The Casa Grande Regional Medical Center, together with the local health department and social services department, has created a comprehensive prenatal care program for pregnant women with a history of substance abuse.

In Nogales, the Mariposa Community Health Center, in conjunction with the area health education center and public and welfare agencies, has provided preventive health services, health education programs, and transportation services in the community with particular focus to underserved and unserved women, and coordinating physical and mental health services.

In Springerville, the White Mountain Communities Hospital, together with Northland Pioneer Community College, has helped coordinate a training program for emergency medical workers in parts of 10 rural counties. The program will improve access to essential emergency care in remote areas by training a nucleus of providers in small rural communities and may result in the only rural volunteer ambulance service with paramedics.

In Coconino County, the county health department has taken a lead in a cooperative effort to improve access to existing services to native Americans in northern Arizona through the use of outreach workers. The outreach workers help families and providers to make certain that families are receiving services for which they are eligible, as well as providing nutrition counseling, substance abuse treatment, and health education.

The second bill, H.R. 1772, was authored by Congressman BILL EMERSON of Missouri. This legislation would reauthorize the grant program for State Offices of Rural Health.

Arizona's State Rural Health Office is located in Tucson, AZ, and has been instrumental in developing a variety of rural health programs throughout the State. The office has focused on three major efforts: expanding and strengthening community health services in rural areas, conducting research, and coordinating educational resources and services throughout the State.

The Rural Health Office provides technical assistance to clinics, hospitals, and communities in addressing their rural health delivery needs. This includes identifying funding sources, creating new service delivery models, and conducting community needs assessments. The office also coordinates the mobile health clinic, which provides primary care to underserved areas of Pima County, and the Arizona Health Provider Resource Program, which helps recruit health providers to underserved areas.

Arizona's Rural Health Office provides policy relevant data collection and analysis, and is home to the Southwest Border Rural Health Research Center, which is a leading resource for information on the status of health care along the United States-Mexico border. Some of the areas of focus for research have been the influence of obstetric malpractice liability on access to services in the rural southwest, characteristics of rural hospital closures, and rural access to primary care. Last year, the Arizona Rural Health Office was designated a

World Health Organization Collaborating Center for Border and Rural Health Research and Development.

The Arizona Rural Health Office coordinates educational resources and services across the State, and provides general support services to the Arizona Health Education Centers. The centers provide recruitment and retention programs to place health care providers in rural and underserved urban areas. Examples of statewide educational programs include a Spanish language intensive workshop for health providers, a Hispanic mothers and babies conference, and a research technical writing workshop. The Arizona Rural Health Office has also implemented an interdisciplinary training program through which graduate students from five disciplines are trained to work as a team in rural areas.

The office continually provides support and technical assistance to Arizona communities to improve access to affordable high quality care, recruits and places physicians and other health providers in rural Arizona, and conducts critical research on the status of health care delivery in Arizona.

The third bill, H.R. 1773, is also being introduced by Congressman EMERSON. This bill reauthorizes the Rural Health Care Transition Grant Program through fiscal year 1997. The Rural Health Care Transition Grant Program was first established in 1987 to strengthen the ability of rural hospitals to provide high quality care to Americans living in rural areas.

In Arizona, this program has enabled a number of facilities to develop and implement innovative programs to meet the unique needs of their communities. Following are a few examples in Arizona:

In Ganado, the Sage Memorial Hospital is developing plans for a skilled nursing facility which will mean additional services for some 10,000 elderly Navajos. The hospital is also upgrading emergency services including proficiency upgrades of current personnel, and purchasing needed equipment.

In Safford, the Mount Graham Community Hospital is working to develop a hospital-based home health care, home infusion therapy, and hospice care program to meet the needs of the community, and specifically, the needs of the homebound elderly. There are no other home infusion therapy or hospice services available in the area.

In Payson, the Lewis R. Pyle Memorial Hospital is developing a cardiovascular and pulmonary rehabilitation program. This program will eliminate a 180-mile commute for residents who currently must travel to Phoenix three times per week for rehabilitation and therapy. Many elderly patients on fixed incomes are unable to complete these programs due to the logistics and travel costs. The program will also lead to an expansion of home health services, replacing inpatient services and facilitating earlier discharges and lower medical treatment costs.

In Benson, the Benson Hospital is establishing a comprehensive mammography screening program, and is developing a comprehensive breast cancer education program for women ages 35 and over in Cochise County.

In Douglas, the Southeast Arizona Medical Center is enhancing home and community based services for the elderly and the dis-



abled. The community is improving access to preventive care through the use of a mobile unit.

In Springerville, the White Mountain Communities Hospital is also attacking breast cancer head-on. By developing a strategy to educate women and raise awareness about the importance of good breast care, preparing an educational program for the outlying communities, and implementing mobile mammography services, the hospital in conjunction with three other facilities will be servicing communities spanning in excess of 4,500 square miles.

These are some of the ways in which these programs are having an impact in Arizona.

Mr. Speaker, the bills I have cosponsored do not by themselves solve all of the problems in our health system, and they are not the total answer to health care reform. But Mr. Speaker, they represent the fact that members of this body from States with rural areas from both sides of the aisle share a commitment to the unique needs of rural communities. As we undertake the reform of our Nation's health system, we must not ignore those needs.

I am pleased to support these programs that have already begun to greatly improve access to needed health care services in rural parts of Arizona.

#### SALUTE TO ANGEL LOPEZ

#### HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GALLEGLY. Mr. Speaker, I rise today to honor Angel Lopez, an old friend and a pioneer in my hometown of Simi Valley, CA, as he retires after nearly 40 years of helping to build generations of young people while helping build and then operate the Sinaloa Golf Course.

Angel Lopez has seen our community grow from a valley of farms and ranches to the bustling city of today. And along the way, he has truly been a guardian angel to the generations of teenagers who thought they were just taking part-time jobs, but who also received invaluable lessons in the art of living.

Angel came to Simi Valley almost 60 years ago as a small boy. His father and many other relatives worked for the Robinson family, who farmed 600 acres in the west end of the valley. The Robinsons loved golf, and in the 1950's decided to convert a portion of their property into a golf course. Angel helped build the course—planting every tree and building the water hazards and sand traps.

When the family sold the course to the Rancho Simi Recreation and Park district in 1966, Angel went to work for them, and retires as the course supervisor. For the past 19 years, he also has been giving lessons, after playing under PGA professionals Ben Johnson and Joe Setherberry for 10 years.

I've known Angel for some 20 years now. I'm proud to consider him a friend, and pleased he will stay on in a part-time role.

Mr. Speaker, Angel Lopez will be honored this weekend with a retirement party, a golf tournament and a barbecue. I ask my col-

leagues to join me in honoring him as well, and in wishing him well upon his retirement.

#### H.R. 1032, THE DEPARTMENT OF VETERANS AFFAIRS EMPLOYMENT DISCRIMINATION ACT

#### HON. RICK SANTORUM

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. SANTORUM. Mr. Speaker, I rise in strong support of H.R. 1032, the Department of Veterans Affairs Employment Discrimination Act. This important measure will establish an office of employment discrimination complaints resolution within the Department of Veterans Affairs [VA] to resolve cases of employment discrimination at VA facilities.

The VA Office of the Inspector General [IG] reported recently that as many as 25 percent of all VA employees may be reluctant to file equal employment opportunity [EEO] claims for fear of reprisals. To restore the confidence of VA employees and to ensure an effective and responsive EEO Program, the IG recommended improvements in the way complaints are handled within the VA. Many of these recommendations have been incorporated into H.R. 1032. I share the view of the Committee on Veterans' Affairs that employees of the VA are entitled to an EEO review process free of potential bias and conflict of interest, and I commend the distinguished chairman and ranking Republican member of the committee for their work on this bill.

While many Federal agencies have centralized responsibility for handling EEO complaints, the VA has delegated EEO resolution activities to managers of field facilities or their designated employees. Unfortunately, this system promotes a situation where managerial politics may lead to bias. Further, as the committee reported, it also creates the perception that the foxes are guarding the henhouse and may discourage the filing of legitimate EEO claims.

A facility in my district provides an unfortunate example of the severe problems that VA employees have experienced in filing EEO complaints. According to documented cases that my office is actively working to resolve, employees at the VA Highland Drive Medical Center have been subjected to racial and sexual harassment. Complaints filed with the facility's EEO officer have not been reviewed promptly, and it has been charged that many of these cases have been intentionally prolonged by the intervention of the director of the VA Highland Drive Medical Center. Worse, complainants have often been subjected to various forms of intimidation by superiors and pressured to drop claims or leave their jobs.

In a particularly disturbing case, two women who had been sexually harassed filed a complaint with the EEO officer against their supervisors and the facility's director. The investigation of this complaint has continued for several years. The women have been repeatedly threatened with reprisal, including derogatory pictures and notes found at their work stations, damage done to their cars, and verbal harassment. In addition, their immediate su-

pervisors and the facility's director responded to the allegations of sexual harassment by accusing the women, both pharmacists at Highland Drive, of violating VA prescription drug procedures and of violations of the Hatch Act. These charges have been fully investigated and found to be unsubstantiated, but the damage has been done. As a result of this ongoing harassment, one of the women has left her job at the VA and the other remains subject to hostile working conditions.

As the case of the Highland Drive Medical Center plainly shows, this system has failed and urgently needs to be overhauled. Decisions on EEO cases must be taken back from the field offices and centralized to ensure objectivity. VA employees deserve to know that their complaints will be handled promptly and responsibly.

That is why I support H.R. 1032 and urge my colleagues to join me by enacting this measure into law so that we can restore the essential employment rights of VA employees.

#### INTRODUCTION OF THE FRESH CUT FLOWERS AND FRESH CUT GREENS PROMOTION AND INFORMATION ACT OF 1993

#### HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. LEWIS of Florida. Mr. Speaker, I am pleased to introduce the Fresh Cut Flowers and Fresh Cut Greens Promotion and Information Act of 1993 along with the gentleman from Texas, Mr. STENHOLM and 12 of our colleagues including the distinguished chairman of the House Agriculture Committee, Mr. DE LA GARZA.

From the corner gift shop to the local grocer, flower sales represent an important economic component to many businesses nationwide. The economic significance of the cut flower industry is illustrated by the 1992 wholesale value of cut flowers and cut greens which reached \$2 billion according to the best available industry estimates.

Unfortunately, market share for cut flowers has declined in previous years and the per capita consumption of cut flowers in the United States has never approached the level of consumption in many European nations.

The floral marketing industry is mainly comprised of small- to medium-sized businesses not large enough to mount an effective advertising and promotion program. To that end, I have introduced this legislation, commonly known as the PromoFlor Program, to authorize the establishment of a national research and promotion order to strengthen and expand the cut flower and cut greens industry position in the marketplace.

The program operates at no cost to the Federal Government and is financed through an assessment on handlers of cut flowers and greens with \$750,000 or more in annual sales of fresh cut flowers and greens. A qualified handler is a person, including a cooperative, that sells domestic or imported cut flowers or cut greens to retailers and exempt handlers. The program covers both domestically grown and imported cut flowers and greens.

Individual handlers with less than \$750,000 in annual sales are not assessed. The assessment only takes place at the wholesale or handler level due to the fact that a large percentage of cut flowers and greens are imported. Further, only retailers who also act as the importer of record with \$750,000 in annual sales of cut flowers and greens are assessed.

I would like to point out that this legislation has impressive support from the entire spectrum of the floral industry including producers, wholesalers, wire services, importers, and retailers.

Industry organizations supporting the legislation include the American Floral Marketing Council, American Floral Services, Inc., American Institute of Floral Designers, Association of Floral Importers of Florida, California Cut Flower Commission, California State Floral Association, Colombia Flower Council, Colorado Greenhouse Growers Association, Florafax International, Floral Marketing Association, Florida Fern Growers Association, Florists' Transworld Delivery Association, Flower Council of Holland, Hawaii Tropical Flower Council, Illinois State Florists' Association, Michigan Floral Association, Missouri State Florists' Association, Nebraska Florists Society, North Central Florists Association, Northern California Flower Growers and Shippers Association, Pennsylvania Florist Association, Pennsylvania Flower Growers, Redbook Florist Services, Roses Inc., Santa Barbara County Flower and Nursery Growers Association, Society of American Florists, State Florists' Association of Indiana, Teleflora, Texas Floral Endowment, Texas State Florists' Association, West Texas New Mexico Florist Association, Inc., Wholesale Florists and Floral Suppliers of America and Wholesale Florists of Colorado.

In addition, it is worthwhile to note that the accounting firm of Ernst & Young conducted an independent survey reporting a 78 percent approval rating for PromoFlor from handlers who would be assessed under the program.

Mr. Speaker, I am pleased to introduce the Fresh Cut Flowers and Fresh Cut Greens Promotion and Information Act of 1993.

#### TRIBUTE TO STATE SENATOR WILLIAM S. WALL

#### HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. MEEHAN. Mr. Speaker, today, thousands of residents of Lawrence, MA, are paying final tribute to a man who dedicated his life to his constituents—State Senator William S. Wall. For 50 years, Senator Wall worked tirelessly for others, beginning in the State attorney general's office and continuing as a State representative, a State senator, and finally as a Lawrence city counselor, where he topped the ticket in every election. During this time he was available 24 hours a day to those he served. No problem was too big or too small for him to handle. No issue was too complicated or too simple for him to address. Every citizen who ever came to him would receive his undivided attention.

For me, as well as other elected officials in the area, he was always willing to advise, cri-

tique, and act as a liaison with the many diverse groups in the city. He called me or a member of my staff two or three times a week to make us aware of local issues.

His special dedication to the elderly, the veterans, and the children of his community have made him a legend in the city of Lawrence and the State of Massachusetts.

Senator Wall never forgot where he came from, and as a result, he always treated those who had less than him with the utmost dignity. He understood his community's needs better than anyone because he completely understood what the average person was facing on a daily basis. There are hundreds of examples of the unselfish deeds he performed—from helping a young person find a job to getting an elderly resident into a nursing home.

I join my friends in Lawrence today in their sorrow for the loss of a great leader. I also share their pride and their love for a man who epitomized what public service is all about. The city of Lawrence will never be the same without Billy Wall.

#### BRAC COMMISSION MEETS

#### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. CALVERT. Mr. Speaker, yesterday, April 27, the Base Realignment and Closure Commission met in San Diego to hear testimony concerning Secretary Aspin's recommendations to close or realign several bases in southern California, including El Toro Marine Base, March Air Force Base, Twentynine Palms, and the Naval Training Center at San Diego. Because this was the only occasion on which the commissioners would hold public hearings in southern California regarding the Secretary's recommendations on these bases, I felt compelled to be in San Diego to lead a group of March AFB supporters in making our case as to why it should be kept open as an active base. For this reason, I was unable to attend yesterday's session of Congress.

Although the BRAC Commission does not have a history of reversing very many of the military's recommendations, citizens of Riverside County can be assured that the March Air Force Base Support Group left no stone unturned in preparing for yesterday's presentation. After conversations with several current and former members of the Base Realignment and Closure Commission, it became clear to me that our most powerful argument for leaving March open was simple and straightforward—it can perform its mission better and cheaper as a full-time active base.

Given the fact that we had but a few weeks to examine the voluminous report compiled by the Air Force over the period of more than a year, it was not easy to discover evidence which disputed the claim that it will save money to restructure March into a reserve base. However, we believe we were successful in pointing out several inconsistencies in the Air Force report, and in making a very strong argument that it would be more cost efficient—and militarily more effective—to leave March on active status.

The fact is that March Air Force Base is the only remaining facility of its kind in southern California, and it has proven its value time and time again for the rapid deployment of forces which is necessary to meet the challenges facing us in the world today. March aircraft and crews provided invaluable refueling support during the liberation of Panama. March played a major role in Operations Desert Shield and Desert Storm. And, most recently, March was a key point of embarkation for Operation Restore Hope in Somalia.

In addition to having excellent facilities—including a brand new state-of-the-art hydrant refueling system—March also has other advantages, including an excellent location. It is the logical departure point to the Pacific rim, and it is the closest west coast Air Force base to Latin America. Also, it is the only Air Force base in close proximity to the Marine facilities at Camp Pendleton and Twentynine Palms.

The public hearing in San Diego was important, and I believe we made an exceptionally strong presentation. However, the hearing is just a small portion of the overall decision-making process. Until the final results are announced at the end of June, we will continue to work with the BRAC staff in an effort to convince them that March Air Force Base is good for the country's security interests and is a good deal for the taxpayers.

#### IN MEMORY OF JANET MACEACHERN

#### HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. BILBRAY. Mr. Speaker, I rise today in honor of a long-time political activist, aide, and asset in the State of Nevada. I stand representing my colleagues in the Senate, Senator REID and Senator BRYAN, to honor the memory of the late Janet MacEachern and her lifetime of work and commitment to the Silver State.

A native of West Allis, WI, Janet began her life in the political world as an 8-year-old activist helping her suffragette mother campaign for women's issues. These beginnings would later bring Janet to spend three full decades of her life involved in making southern Nevada a better place for people to live.

Early in her life, Janet was an accomplished track and field athlete. She went on to graduate from the University of Wisconsin at Madison and began her career as a teacher. She married G. Angus MacEachern in 1938 and traveled the Nation with him during his 33-year military career.

In 1964, retirement brought the MacEacherns to Boulder City, NV, and the shores of Lake Mead. It was there that Janet truly found her way into the heart of the southern Nevada community. She immediately began the work she loved in the local political scene, always seeming concerned for the little man and never afraid to take on a tough issue. Of her, friends would say, "She had an opinion on everything, and it was usually right." Locals eventually came to call her "Mrs. Boulder City."



Janet served on many boards and commissions, including the Regional Transportation Commission, the Clark County Flood Control District, and the State Mental Health Board. Janet may be the first and last Boulder City volunteer to be given an office and a secretary in city hall. Her familiar face at the State legislature in Carson City once earned her the "Curmudgeon Award" from the office of the Governor.

These memories of Janet will be ours forever, as will the many good deeds she accomplished for our State. So I stand today with the well wishes of my colleagues in the Senate, and ask that this auspicious body honor and recognize a lifetime of achievement by Janet MacEachern.

#### INTRODUCTION OF LEGISLATION TO EXPAND HOME OWNERSHIP OPPORTUNITIES

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. SERRANO. Mr. Speaker, today, along with Mr. BLACKWELL, Mr. CONYERS, Mr. FRANK of Massachusetts, Mrs. LOWEY, Mr. RANGEL, and Mr. SCHUMER, I introduced a bill that will expand homeownership opportunities for low-income buyers in areas across the country that most need new affordable housing, through a proven, successful program, tax-exempt mortgage revenue bonds. My bill would permit the issuance of mortgage revenue bonds to finance the sale of newly constructed two-family homes in targeted areas of chronic economic distress.

Under current law, mortgage revenue bond proceeds may be used to finance new single-family homes, but not new two-family homes. In many densely populated urban areas, including New York City, the costs of land and construction make two-family projects much more economically feasible for developers than single-family homes. Two-family homes simply cost less to build. In addition, each homebuilder can provide an affordable rental unit, a scarce commodity in the South Bronx and many other areas of the country.

In my congressional district, there are several projects underway to build two-family homes. I believe that low-income people who wish to buy these homes should be able to get financing through the mortgage revenue bond program.

My bill would simply amend the Internal Revenue Code of 1986 by lifting the requirement that a two-family residence be occupied at least 5 years before a mortgage is executed subject to the mortgage revenue bond program, when the two-family residence is in a targeted area as currently defined in the code, in a State economic development zone, or in any area designated as a Federal enterprise zone.

We need desperately to expand homeownership opportunities for low-income working people in economically distressed areas of this country. Homeownership opportunities are an indispensable link in the housing ladder. New home buyers free up affordable rental units for

those who are ready to leave public housing, who in turn make public housing units available for the thousands upon thousands of families and individuals living doubled up in public housing projects, or without shelter at all. Expanded homeownership opportunity will keep and attract working people who contribute to the economic development of distressed communities. Making it easier for people to own their homes will help to stabilize distressed areas.

The mortgage revenue bond program has proven to be an extremely effective mechanism for the promotion of low- and moderate-income homeownership in New York and throughout the country. Expanding the program in this way would make it even more effective in the areas of greatest housing need, without costing the Federal Treasury a penny in tax revenues.

**HEATH A. HAWK HONORED**

**HON. PAUL E. GILLMOR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. GILLMOR. Mr. Speaker, I would like to take this opportunity to recognize an exceptional young man from my district who has recently accepted his appointment as a member of the class of 1997 at the U.S. Military Academy.

Heath A. Hawk will soon graduate Paulding High School after 4 years of outstanding academic achievement as well as extracurricular involvement. During his high school career, Heath has distinguished himself as one of the premier student-athletes in Ohio, participating in varsity football, varsity wrestling, varsity tennis, the science olympiad, and the scholastic bowl.

Mr. Speaker, one of the most important responsibilities of Members of Congress is to identify outstanding young men and women and to nominate them for admission to the U.S. service academies. While at the academy, they will be the beneficiaries of one of the finest educations available, so that in the future, they might be entrusted with the very security of our Nation.

I am confident that Heath Hawk has both the ability and the desire to meet this challenge. I ask my colleagues to join me in congratulating him for his accomplishments to date and to wish him the best of luck as he takes his place in the Long Grey Line and begins his career in service to our country.

#### PROTECTING FAIR TREATMENT FOR FEDERAL EMPLOYEES IN SEXUAL HARASSMENT AND WHISTLEBLOWER CASES

**HON. GEORGE W. GEKAS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 28, 1993*

Mr. GEKAS. Mr. Speaker, today, Mr. KANJORSKI and I introduced the Merit Systems Protection Board Administrative Judges Pro-

tection Act of 1993. This bill would give administrative judges at the Merit Systems Protection Board [MSPB] the same statutory status and protections as Administrative Law Judges [ALJ's]. The bill would make MSPB administrative judges, who review employment decisions of Federal agencies for approximately 2 million Federal employees, administrative law judges. Two-thirds of the full-time Federal civilian work force depend upon the fairness and integrity of employment-related decisions rendered by 62 administrative judges at the Board.

One of the most widespread employment-related problems in the Federal workplace, as documented by the MSPB upon the request of the Congress, is sexual harassment. The MSPB, in response to the Congress, conducted two studies of sexual harassment in 1980 and 1987. In 1987, the MSPB sent out questionnaires to 13,000 Federal employees and received 8,523 responses. In 1987, 42 percent of all women and 14 percent of all men reported they experienced some form of uninvited and unwelcome sexual attention. The total cost to the Federal Government for this non-job-related behavior is estimated at \$267.3 million during the survey period of May 1985 to May 1987. These costs are based on job turnover, sick leave used, lost individual productivity and lost group productivity due to sexual harassment.

MSPB administrative judges are responsible for hearing and deciding direct appeals from Federal employees who allege that an adverse personnel action was taken against them because of their whistleblower activities. In 1989, when the Whistleblower Protection Act was enacted, the Senate report stated that Federal employees may appeal to the MSPB and that the first review is to be by an administrative law judge and then the Board. However, administrative judges hearing these cases at the Board are not ALJ's, as the act contemplated, nor do they have the protections of ALJ's under the law to ensure the impartiality and independence of their decisions. This bill will provide this contemplated and long-awaited status as ALJ's to the administrative judges at MSPB.

MSPB administrative judges hear sensitive personnel cases on sexual harassment and whistleblower protections involving high-placed agency officials. In fact, the House just recently authorized the MSPB to hear appeals on misconduct cases from the Senior Executive Service. Federal employees relying upon the integrity and independence of the decisions for the MSPB administrative judges are not aware that the hearing and decisionmaking functions of these judges are subject to removal, suspension, and performance appraisal by their agency. Currently, MSPB's performance appraisal determines whether these judges receive cash awards for their work. MSPB conducts both pre-issuance and post-issuance quality reviews of decisions issued by MSPB administrative judges. No facet of a decision is immune from review. Reviewers may include headquarters personnel who perform no hearing or decisionmaking functions. The results of these reviews may influence a judge's overall performance rating and pay.

Most Federal employees believe that they are entitled to a fair hearing before losing one

of their most precious possessions, their livelihood. Unfortunately, Federal employees have less protection than we currently grant an individual applying for Social Security benefits: the right to a hearing before an administrative law judge, who cannot be intimidated or influenced because of the statutory protections guarding an ALJ's decisional independence. Federal employees are not aware that their case before the MSPB will be subject to quality review.

I believe that Federal employees should have the same protections in hearings before the MSPB on critical personnel decisions that may in fact ruin an individual's career. For these reasons, I have introduced a bill to give MSPB administrative judges the same classification status and protections as ALJ's in regard to: removal and suspensions only for good cause, rotation of case assignments to ensure impartiality on the part of the decision-maker, and no performance appraisal on their adjudication functions. These protections will guard the integrity of the Merit Systems Protection Board in reviewing Federal employment practices and keep them free from political influence. I think this is important to the civil service system, and it is not a difficult task to undertake, since extending these provisions would be budget neutral, according to CBO standards.

I urge my colleagues to join me in providing these safeguards to the process of reviewing important employment decisions in the Federal Government.

#### THE 10TH ANNIVERSARY OF PHIL BURTON'S DEATH

#### HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Ms. PELOSI. Mr. Speaker, as California and the Nation note the 10th anniversary of the passing of Phil Burton, a man who faithfully served San Francisco and the country as a Member of Congress, it is a privilege to bring to the attention of Congress a poem written by California's poet laureate, Gus Garrigus, in tribute to Phil and his enduring legacy.

With great insight, Gus has written "In Memoriam: Phillip Burton," which describes the wisdom spoken by Nature. It was Phil's extraordinary gift to be receptive and wise enough to hear what vital, beautiful—and crucial—message Nature has for all of us. Phil Burton had the commitment, talent, and persistence to build the coalitions needed to make sure that Nature's voice would endure for all time.

As Gus, a colleague of Phil's in the California Assembly, so poignantly and rightly notes, no plaque could encompass the importance and endurance of Phil's work—it is up to the redwoods, the eagles, the rivers, and the wildflowers forever to bear that witness.

Today we planted a young giant sequoia on the Capitol grounds as a tribute to Phil's lasting contribution to our world. As the tree grows, so will the memory of Phillip Burton.

IN MEMORIAM: PHILLIP BURTON

(By Gus Garrigus)

This is the requiem of the Giant Redwoods,

Sky-crowned monarchs binding heaven to Earth.

This is the tribute of the Queen Sierra's, Snow-crowned grandeur serving beauty's worth.

When valley mists roll down the woodland floors,

And Eagles scream and soar past crags and peaks.

And lakes, like diamonds, sparkle in the sun, Then we shall hear the wisdom nature speaks.

The rushing rivers and the bowered brooks, And all this wondrous wilderness enclave,

Shall witness to the cause that Burton served.

Shall speak the heritage he worked to save. No stone nor plaque can mark the way he went.

These National Lands shall be his monument.

#### NEW JERSEY GENERAL ASSEMBLY URGES INVESTIGATION OF OCCHIPINTI CASE

#### HON. DICK ZIMMER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. ZIMMER. Mr. Speaker, I would like to enter into the RECORD New Jersey General Assembly Resolution 107. The resolution, which was adopted unanimously by the general assembly on February 18, 1993, memorializes the President and Congress to appoint a special or independent prosecutor to investigate the case of my constituent, Mr. Joseph Occhipinti of Manalapan, NJ.

NEW JERSEY GENERAL ASSEMBLY RESOLUTION 107

An assembly resolution memorializing the President and Congress of the United States to appoint a special prosecutor to investigate the Occhipinti case and to investigate Dominican crime operations.

Whereas, former Immigration and Naturalization Service agent Joseph Occhipinti, of Manalapan, New Jersey served his country for 22 years, daily placing his life in harm's way, and stands today as a most decorated Federal agent, with 78 awards and commendations; and

Whereas, there is voluminous evidence that in 1991 and 1992 Mr. Occhipinti may have been the target of a well-orchestrated conspiracy by Dominican drug dealers, leading to his prosecution on civil rights charges under 18 U.S.C.A. 241 and 242; and

Whereas, court transcripts may document that Mr. Occhipinti was denied a fair trial and his civil rights violated; and

Whereas, Mr. Occhipinti served seven months in federal prison, of his 37 month sentence, before President George Bush granted commutation, but because a full pardon was not granted there remains for Mr. Occhipinti the stigma of being known as a felon;

Whereas, Mr. Occhipinti is willing to undergo a new trial to clear his name; Now, therefore,

Be it resolved by the General Assembly of the State of New Jersey:

1. This House memorializes the President and Congress of the United States to appoint a special or independent prosecutor to investigate the case of Mr. Joseph Occhipinti, including an investigation of the alleged drug

cartel conspiracy against Mr. Joseph Occhipinti, and further, of the alleged Justice Department coverup in the handling and prosecution of the Occhipinti case. The President is memorialized further to grant, if the investigation warrants, a full pardon so Mr. Occhipinti can clear his name.

This House further memorializes the President and Congress of the United States to seek a Congressional investigation examining the extent of Dominican crime operations in the United States, especially in New Jersey.

2. Duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested by the Clerk thereof, shall be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and every member of Congress elected from this State.

#### INTRODUCTION OF THE GULF OF MEXICO ECONOMIC AND ENVIRONMENTAL PROTECTION ACT OF 1993

#### HON. GREG LAUGHLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. LAUGHLIN. Mr. Speaker, I thank you for the opportunity to introduce the Gulf of Mexico Economic and Environmental Protection Act of 1993.

I grew up along the Gulf of Mexico and I represent the 14th District of Texas, which occupies more land along the Gulf of Mexico than any other coastal congressional district or State combined.

I have long been committed to raising the priority of Gulf of Mexico issues. In fact, the Sunbelt Caucus' Gulf of Mexico Task Force, which I cochair with my colleague, Congressman SONNY CALLAHAN from Alabama, has been a leader for more than 4 years in raising awareness of issues in the Gulf of Mexico.

Congressman CALLAHAN and I have been working with the task force for more than a year on the comprehensive legislation we introduce today.

It is high time that the economic and environmental significance of the Gulf of Mexico be recognized. Unfortunately, the Gulf of Mexico has not been getting its fair share of Federal funds or attention.

The Gulf of Mexico is 7 times larger than the Great Lakes and almost 200 times larger than the Chesapeake Bay. Yet it receives 90 percent less funding than each of those bodies of water. This discrepancy in funding is incredible considering the extensive economic and environmental value of the Gulf of Mexico, a value not only to the one-sixth of the United States population which reside on the coast, but to the rest of the Nation as well.

Revenues from the Gulf of Mexico historically rank second only to the Federal income tax as a revenue source for the Federal Government. In addition, the Gulf of Mexico ports handle 45 percent of U.S. imports and exports.

The Gulf of Mexico also provides a critical habitat for 75 percent of the migratory waterfowl traversing the United States, and its



coastal wetlands comprise about half of the national total.

Surely, a body of water which is so rich in environmental and economic resources and whose activities have such a national impact should get more Federal attention than in the past.

This legislation will focus on improving water quality in the Gulf of Mexico, reducing coastal erosion, ameliorating the economic loss of fisheries in the gulf, as well as other related issues which arise. The bill will formally establish a Gulf of Mexico program which will coordinate the activities of all affected agencies and avoid wasteful overlapping efforts.

Our bill will establish a Gulf of Mexico Board which includes representatives from all the Federal agencies with jurisdiction in the Gulf of Mexico, State Governors or their appointees, the chairperson of the Citizens' Advisory Committee, and a coastal elected official from each State. Including the coastal elected officials is crucial because they have an in-depth knowledge of critical coastal issues.

Most importantly, our bill ensures the comprehensive evaluation of environmental and economic concerns affecting the Gulf of Mexico. This is why we are reintroducing this comprehensive bill, which attempts to address these critical issues in the Gulf of Mexico.

In closing, I would like to thank my colleague, SONNY CALLAHAN, and all the members of the Sunbelt Caucus' Gulf of Mexico Task Force who have worked so hard in developing this legislation.

#### NOT ALL SENIOR CITIZENS ARE WEALTHY RETIREES

**HON. PETER A. DEFazio**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. DEFazio. Mr. Speaker, contrary to popular stereotypes, not all senior citizens today are wealthy retirees. Many do not own luxurious homes or have access to a steady stream of disposable income. Many don't even own a home.

The fact is, large segments of the senior population are still living at or near the poverty line. And a larger number are fast approaching that status under the crushing weight of skyrocketing health care costs and consumer inflation. A General Accounting Office report on the Current State of America's Elderly Poor confirms that nearly 20 percent of our Nation's elderly were poor or near poor in 1990.

Social Security and Medicare are still the best insurance policies against illness, hunger, and poverty for seniors. But the programs fall short in far too many areas. Medicare is painfully absent when it comes to long-term care and prescription drugs. And Social Security has not fulfilled its promises since the system ran into financial trouble during the 1970's.

That's why I'm fighting to correct the Social Security notch. When Congress reformed Social Security in 1977 to assure trust fund solvency through the mid-21st century, some 12 million workers near retirement age wound up with benefit checks smaller than those paid to their counterparts born a few years earlier or

later. "Notch Babies," many of whom served in WWII, paid into Social Security their working lives. Yet many found themselves cheated by this congressional reform.

According to 1991 Social Security Administration [SSA] estimates, the average-earning, 65-year-old retiree born between 1917 and 1926 will receive an average of \$916 a year less in Social Security benefits than the same average worker born between 1912 and 1916—and \$480 a year less than the same worker born from 1927 to 1931.

That may seem like small potatoes to some of my colleagues on Capitol Hill, but it's a lot of money to my constituents in Oregon. The legislation I'm introducing today will go a long way toward correcting that mistake by replacing some of the benefits previously denied to these Americans. The bill is identical to the one sponsored by former Representative Edward Roybal in the 102d Congress, which garnered the cosponsorship of 288 Members of the House last year—nearly a two-thirds majority.

Restoring some of these benefits won't jeopardize Social Security's trust funds in any way. Few people realize the trust funds are accumulating a large and growing annual surplus. The SSA estimates that reserves will grow to nearly \$8 trillion by 2015. The trust funds have accumulated far more revenue than originally intended when Congress cut benefits and boosted taxes in 1977 and 1982 reforms.

In addition, a small reduction in this growing surplus to rectify the notch issue will not increase the deficit. That's because trust funds are no longer included in the Federal budget when calculating the deficit. But some members of the administration and the Congress seem to forget that point.

I realize some of my colleagues are a little uneasy about spending surplus trust fund revenues; but ignoring the plight of these forgotten Americans is simply unconscionable. Please join me in sponsoring this legislation to put an end to this injustice once and for all.

#### THE 50TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING: SPEECH OF VICE PRESIDENT AL GORE

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. LANTOS. Mr. Speaker, just a few days ago we commemorated the 50th anniversary of the Warsaw ghetto uprising. It was my honor to serve as chairman of the Presidential delegation which was appointed by President Bill Clinton to attend that most solemn observance in Warsaw.

We turned our thoughts back half a century to the darkest, unspeakable days of World War II, a time when the whole horror of the Nazi extermination machine was in full operation, a time when the United States and our allies were just beginning to turn the tide against the monster of fascism, and a time when, against all odds, the suppressed, starving Jews of the Warsaw ghetto put their lives

on the line and rose up against their Nazi masters.

The commemoration in Poland was a sober and hallowed occasion. It was an opportunity to remember and to honor a brilliant moment when men and women rose against their oppressors and fought against tyranny and oppression.

Mr. Speaker, our Vice President, AL GORE, was the President's personal representative at the 50th anniversary of the Warsaw ghetto uprising last week. His remarks commemorating that occasion are most thoughtful and reflective. Mr. Speaker, I ask that the Vice President's statement be placed in the CONGRESSIONAL RECORD, and I urge my colleagues in the Congress to ponder these remarks.

#### STATEMENT OF VICE PRESIDENT AL GORE AT THE 50TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING

Today we must try to speak of the unspeakable.

A half century has passed since the April morning in 1943 when the Nazi occupiers of Warsaw sent troops to liquidate the Jewish Ghetto.

For three years, a half million Jews had been shut into the Ghetto, locked away from the rest of the city and the world by a high, thick wall of a sort that tyrants seem compelled to build. Periodically, Nazi troops raided the Ghetto and herded away hundreds of Jews at a time. They loaded them onto windowless boxcars to be hauled off to the extermination camps and the gas chambers.

On these visitations, the Nazis concentrated their lethal attention first of all on the old, the infirm, on women and children. These innocents were targets for immediate elimination because they could not be pressed into slave labor to service the German war machine.

The Nazis took advantage of the orderly habits and expectations of civilized society. They carried out mass deportations and exterminations of multitudes; but the rest of the world and at first even the Jews themselves could not believe that such a systematic and methodical horror could be sponsored by a government and carried out by a vast bureaucracy. Not even the victims were prepared for such a singular evil. Indeed, even now the secular liberal imagination rebels at grasping that states and peoples are capable of sin.

But in January 1943, the Jews in the Warsaw Ghetto began fighting back. And by Spring, in a fury of outrage, hatred, and fear, the Nazis resolved to destroy the Ghetto once and for all. By that time about 350,000 Polish Jews had survived three years of wanton murder, three years of pestilence that breeds in crowded places without adequate sanitation, three years of starvation that made even young men and women collapse in the streets and die.

Then on April 19 when the Polish countryside was greening with Spring and the fields were moist with renewing life, the Nazis chose the first night of Passover to storm into the Ghetto on a mission of death. They were so confident of a quick and easy victory that they were singing the marching songs of the Third Reich.

But they were met by a fusillade of gunfire that sent them fleeing in panic to the other side of the wall. The uprising in the Jewish Ghetto—one of the shining moments in the history of human dignity—had begun. While the Nazi flag flew over conquered Europe from Russia to the Pyrenees, from Norway to Greece, while the Gestapo and the SS ter-

rorized trembling nations, the Jews of Warsaw fought back. Although there were many courageous rebellions by Jews, including by those who burned Treblinka, the Warsaw uprising was the first great civilian revolt against Nazi barbarism.

From the beginning the odds looked desperate to the freedom fighters. The Polish Jews stood alone. The German army regrouped and attacked with tanks, with armored cars, with flamethrowers, with heavy artillery, and with unlimited ammunition. The Jews fought back with a few light machineguns smuggled into the Ghetto through the sewer system. They had revolvers, antiquated rifles, a few hand grenades and thousands of home-made Molotov cocktails. During the fighting Jewish bastions frequently ran out of ammunition. Many rushed into battle hoping to pick up the guns and ammunition of slain or fleeing Germans.

But the Jews of the Ghetto had another weapon—the fierce, dauntless courage of a righteous cause, the matchless power of the human yearning for dignity. That power can rouse the most peaceful and inoffensive communities to say at last, "Enough." We will not take any more."

Again and again the Germans attacked. Again and again they were forced to retreat. Then, pulling back their legions, they sent the bombers of the Luftwaffe thundering over the Ghetto to pound it into submission. On April 25 General Juergen Stroop, the German Kommandant sent this communique to his anxious superiors in Berlin: "If last night one could observe over the former Ghetto only the reflections of fires, this evening one can see a gigantic sea of flames.

Still the Jews did not surrender. In the weeks that followed, Stroop's army attacked the Ghetto house by house with howitzers and flame-throwers. When women and children tried to escape the flames, German machine gunners shot them down. And still, the Jews fought on, amazing Stroop and his minions. They charged the German guns and died, some singing, others chanting Hebrew Psalms.

Despite Nazi censorship, news of the unfolding drama spread across the world. From London, General Wladyslaw Sikorski, commander in chief of the Polish armed forces in exile, called on his people by radio. "The greatest crime in the history of mankind is being committed," he said in a speech broadcast to his homeland on May 5. "I beg you to \*\*\* combat the terrible atrocities which the Germans are committing against the Jews."

Finally, late in May, the overwhelming might of the Wehrmacht prevailed. The Nazis torched the entire Ghetto. Some chose the fire over surrender. Those who survived were condemned by the Nazis to extermination. The German ministry of propaganda sent photographers to record the long files of men, women, and children marched out to waiting boxcars at gunpoint under the merciless gaze of heavily armed German soldiers. The "triumph" over the Jews, decreed the Propaganda Ministry, was to be preserved "for all history."

And so it was. So it has been.

But in the long testing and trial of time, the leering Nazis are branded in memory with an indelible infamy and shame. The defeated Jews march in our hearts in an everlasting procession of honor. Their valor marks our remembrance of the darkness like a shooting star across a black sky, startling us with the evidence of something in the human spirit which will not yield to even the darkest and most overpowering certainties.

Fortunately, many of those who suffered, managed to preserve their witness for poster-

ity. Vladka Meed's "On Both Sides of the Wall," is a stirring example. And thousands recorded what happened before they died so that we could remember. One of them wrote: "This journal is my life \*\*\* Darkness covers the murderers' abominations."

A merchant and aspiring writer, Zalmen Gradowski, who fell in a revolt at Auschwitz he spearheaded, confidently buried four manuscript accounts of life in death, on each of which he had matter-of-factly inscribed the words, "take heed of this document, for it contains valuable material for the historian."

And a writer who perished in the Warsaw Ghetto uprising wrote, Whoever desired still to live should not search for life here among us. We are at the end."

Tomorrow, I will be in Warsaw to remember their courage. Yesterday, I was in Washington and with my wife Tipper, privately visited the United States Holocaust Memorial Museum. I will be there again on Thursday when President Clinton will speak at its dedication. Of course, those of you who are survivors know what those of us who are not can only imagine: the burden of memory and the memory of loss. The bodily wounds and the wounds of the spirit and of the mind. But Tipper and I were overwhelmed by the power of the story this new museum tells in words and pictures.

The pictures. No one with human feeling can contemplate these photographs without a welling up of pity and rage. I am always arrested by the image of one frightened little boy. He wears a coat that reaches to his bare knees over his short pants. On his head is a wool cap as if some mother had dressed him to ward off the morning chill on his walk to school.

Yet here he is, trudging at the head of a weary column of doomed humanity, his hands lifted in the air in a gesture of harmlessness. Nearby a German soldier looks on, holding an automatic rifle in his hand, a scornful smile on his face.

The child is not on his way to school. He is going to his death.

I do not know his name or who his parents were, or the games he played or the songs he sang. We do not know what confused thoughts stirred through his uncomprehending mind as he stared at a uniformed man taking his picture. And we can never know what he would have been, had he lived. His ashes are scattered somewhere in an anonymous pit. His face and those uplifted little hands haunt us forever.

Before that image, words fail. We are reduced to silence—a silence filled with the infinite pool of feeling that has created all the words for humility, heartbreak, helplessness, and hope in all the languages of the world.

How could the human race have allowed such a calamity as the Holocaust to fall upon us? There were 400 Jewish Ghettos created in Europe by the Nazis. But numbers, of course, seem so pitifully incapable of conveying the meaning of an episode that stands outside the borders of all customary moral judgment.

Six million Jews were murdered: mothers and fathers, sisters and brothers, cousins, friends, one and a half million children, three out of every four Jews in a swath of Europe from the Atlantic Ocean to the furthest line of German advance on the Eastern Front. Three million Jews in Poland perished, one million Jews in the western Soviet Union, 106,000 in Holland, 135,000 in Lithuania, 217,000 in Czechoslovakia. Only in Denmark were both the numbers and the proportions small. Seventeen thousand Jewish

women died on a death march from Ravensbruck. Ninety-five thousand Jews were executed in the Barancwice region in six months, 35,000 at Babi Yar in two days. At Maidanek eighteen thousand Jewish prisoners were slaughtered in one day. The SS called this day a "harvest festival." Of the fifty thousand Jews in Salonica at the beginning of the war barely one thousand were alive in 1945. Of the nearly four hundred thousand Jews deported to Belzec just six survived.

What terrible darkness lies coiled in the human soul that might account for this venomous onslaught in the middle of a century that was hailed at its birth as a "century of progress"?

What did the promise of modern times mean to that young child with the wool hat and to those masses tramping out of the Ghetto under skies blackened by smoke, a wasted landscape transformed, as the Nazi conqueror boasted, into a cemetery? The sorrow rising from such questions is deeper than all tragedy and leaves us mute before a mystery the human mind cannot penetrate.

And yet the uprising of the Warsaw Ghetto shines in our consciousness like a pole star of the human spirit.

When the Jews first took up arms, some of them raised the red and white flag of Poland over the Ghetto that had been their prison and that now became their fortress. General Stroop reported that Jewish fighters plunged with reckless valor to their deaths, taking as many Nazis with them as they could.

They were Jews claiming an ancient heritage. They were also Poles, many of them claiming a nation they loved and served to the end. They were members of the human race claiming honor and dignity in the face of desolation, despair, depravity, and death.

Their sacrifice is now fifty years in the past. The springtimes of five decades have blown away the stench of fire and death, and the generation that suffered the war and endured the Holocaust is passing away. We cannot inscribe on a monument the names of all the Jewish dead, for we do not know them. Many are known only to God.

Yet as Elie Wiesel has said:

"To forget the Victims and the killers would mean to betray one and to grant a victory to the other."

"Let us Remember. Let us Remember again and again. For at the end that is all they wanted—to be remembered. Their names, their faces, their silent songs, their secret triumphs, their struggle and their death, one as awesome as the other."

The story of the Warsaw Ghetto is sacred text for our time. It warns us of the unfathomable power of evil, the pestilence of the human soul that for a time can dissolve nations and devastate civilization.

But the uprising in the Ghetto also warns tyrants wherever they rule for a season that a fierce, bright light blazes eternal in the human breast, and that the darkness can never put it out.

Now we stand in another springtime. The icy winter of the cold war is over. In countries once conquered by the Nazis and afterwards plunged into the glacial age of Communism, the land is greening, and new life is reaching towards the sun.

In my home state of Tennessee, farmers know something about spring; it is the time to plow and to plant when the snow has melted and the ice is gone. And there is something about this spring we all must know: what we harvest in the future depends on what we sow now when the world has thawed, and a sweet, mild air of opportunity portends the growing season.



Like the year, history has its seasons. And like the poet who said April is the cruelest month, we feel anguish when memory is mixed with desire. If we are wise, we will choose the right lessons to learn in this season when the world is full of promise and pain.

One lesson of our century is that dictatorships—wherever they may be—are illegitimate. They thrive on terror. The tyrant fears the inevitable—that the people he oppresses will come to themselves, shout him down, destroy him, and trample his symbols underfoot.

It is the dictator's trick, as old as tyranny itself, to preach hatred to his people, to cast a spell over them, to incite them to fear of a mythical enemy. Out of the darker impulses of the human heart, the dictator shapes a kingdom of shadows. By relentless propaganda he makes those shadows seem to move and gives them the substance of nightmares. The people, reduced to childish dependence, are hypnotized into believing that the tyrant is their protector. Their fear of a imaginary enemy "out of there" is twisted into hatred of those loyal citizens who seem different—different because of their looks, their clothes, their habits, their speech, their way of worshipping God.

Dictators refuse to learn the bitter lessons of history. Fifty years after the uprising in the Warsaw Ghetto, petty tyrants around the world smother their people and seek to blind and confuse them with the clumsy lies of dictatorship. The greatest lie of all is to find someone different—a different religion, a different ethnic identity, a different skin color, a different language, a different heritage of any kind—and to decree that that person is the real enemy.

I recently saw the photograph of another child of Europe. He was ten years old. He lived in Sarejevo. He was killed by shellfire in the Serbian siege of the city. His body had been covered with a blanket. Only a thin leg with a sneaker on the foot protruded. The sneaker had a tag attached. A small boy's innocent life with all its promise had been reduced to a statistic recorded on a piece of paper. And this happened in our time, only weeks ago.

Must such horrors go on and on? They must not. Those who commit such crimes should know that judgment stands in the wings of history, awaiting its moment. And the moment always comes.

Let tyrants know that they inevitably fall. Their statues are toppled in the streets by a jubilant people, their names faded to oblivion by the incandescent sunlight of the human spirit. And let the people of every nation know NOW that to allow tyranny to take root in their land exacts a price. For a nation to fall into the narcotic spell of hatred that dictators cast on their societies is to bring down on both the guilty and the innocent the contempt of civilized society and its implacable vengeance.

Surely in this new springtime of human history we can plant hope and peace in Europe and the world. Today we celebrate the Jewish people and their great resurgence and flourishing after the horrors of Nazism. We celebrate the State of Israel, born from the fires of war and the Holocaust and tempered by its determination to survive and to achieve justice and peace with security. We celebrate the triumph of the human spirit that brings us here to honor the suffering and sacrifice offered by brave people on the altar of humanity.

It is one of those symbolic coincidences of history that the date of the uprising in the

Ghetto, April 19, is the anniversary of the shots exchanged in Lexington, Massachusetts, in 1775 between the British army and the American patriots. That skirmish began the American Revolution. The young soldier who fired the shot heard round the world, unlike the fighters of Warsaw, did not face certain death. Yet he was a citizen of a small, weak, colony preparing to resist the forces of a great empire.

A little more than a year later Thomas Jefferson put forth the radical proposition that all of us are created equal, that the mere fact of birth confers on us all, in every race, every religion, every language, every heritage, a right to enjoy life, liberty, and the pursuit of happiness and that governments derive their just powers from the consent of the governed.

We have been struggling for two hundred years to make Jefferson's dream come true. Our own troubled history in the United States shows us that our yearning for justice is not yet fulfilled, our dream not yet come true. But we keep walking towards a shining horizon—a society where people of every creed and color, every heritage and hope, can dwell together in peace by the river of life.

I would like to wish that ambition on all societies throughout the world. And I would like to say that the most stable and enduring societies are those that grant to all their people, in all their variety, the most freedom and the most dignity.

No words we speak can embrace the grandeur of the sacrifice of the martyrs we remember today. The heroes of the Warsaw Ghetto found freedom and dignity by choosing death with honor, by resisting even when resistance was hopeless. They thus sanctified life for those who live after them. Their heroism plucked up human nature itself from the dirt, where Nazism threatened to bury it, and lifted it high to catch the radiant sunlight.

Centuries ago, after another experience of sorrow and captivity, the Psalmist wrote:

"They that sow in tears shall reap in joy. He that goeth forth and weepeth, bearing precious seed, shall doubtless come again with rejoicing, bringing his sheaves with him."

The fighters in the Warsaw Ghetto sowed the seeds of courage, dignity, and justice, and we reap their harvest today. Their martyrdom is a demand that justice form the basis for relations between nations and peoples—justice in the neighborhood and justice in all the world.

The spirit of the men and women who fought in the uprising in the Jewish Ghetto can make a thousand springtimes flourish. We renew ourselves in their radiance at this sacred moment. We find in their noble example the inspiration to persevere and to prevail in the duties to which destiny has called us today.

We honor them now with reverent silence and promise to remember them and to love them as long as the world stands.

Our duty to them was written in the book of Deuteronomy:

"Only take heed to thy self, and keep thy soul diligently, lest thou forget the things which thine eyes have seen, and lest they depart from thy heart all the days of thy life: but teach them to thy children, and thy children's children."

IT'S A GIRL!

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. CAMP. Mr. Speaker, I rise today with great news from our former colleague Bill Schuette and his wife Cynthia Grebe Schuette who gave birth to their first child at 2:28 a.m. on April 27, 1993. They are now the proud parents of a healthy 7 pound, 6 ounce, baby girl. Her name is Heidi Cathrin Schuette. It is with great pleasure that I share with the House of Representatives their happiness during this special time in their lives.

TRIBUTE TO DR. EMMETT J. CONRAD

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. FROST. Mr. Speaker, it is with deepest regrets that I advise you and my colleagues in Congress of the death of Dr. Emmett J. Conrad, Dallas' first African-American school board member, and longtime leader in education, medicine and social justice causes. He died this past Saturday, April 24, 1993, at the age of 69. Dr. Conrad is survived by his wife, Eleanor Conrad of Dallas; daughter, Dr. Cecilia Conrad of New York City; sister, Portia Conrad LePage of Baton Rouge; brother, William P. Conrad of Baton Rouge; and a grandson.

Dr. Conrad was an extremely talented man whose commitment to excellence helped him break color barriers on a number of fronts. While in the Army at the beginning of World War II, he earned a military scholarship to complete his pre-med studies at Stanford University by achieving a genius IQ score on any Army test. After earning his medical degree at Meharry Medical College in Nashville, TN, and serving as a captain at an Illinois Air Force base, Dr. Conrad came to Dallas to join the St. Paul Medical Center staff in 1955. By 1981, he was named chief of staff to lead more than 700 doctors. He was the city's first black hospital staff surgeon and chief of staff. He would also become the first black president of the Greater Dallas Community of Churches.

Without taking away from his great achievements in medicine, Dr. Conrad will be most remembered for his concern and work for the community. I knew Dr. Conrad personally and I found him to be not only intelligent, but caring. He won an at-large election to sit on the Dallas school board in 1967. During his 10 years on the board, Dr. Conrad promoted free-lunch programs for poor students and the integration of administrative staffs.

However, his service on the city's school board was only the beginning of his commitment to the community. Dr. Conrad went on to serve on the Texas State Board of Education for 11 years. While on the state board, he helped shape Texas school reforms, including pre-kindergarten programs, no-pass, no-play

rules and teacher competency tests. In addition, he never moved his office from the African-American neighborhood where he started because he wanted services to be convenient for the clients who gave him his start.

Mr. Speaker, we have lost more than a notable medical professional in Dr. Emmett J. Conrad. We have lost a close friend who dedicated his life to his family, his community and education.

### IN HONOR OF TAKE OUR DAUGHTERS TO WORK DAY

#### HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. FAZIO. Mr. Speaker, I rise today in strong support of Ms. Foundation's introduction of Take Our Daughters to Work Day.

As a father with grown daughters of my own, I know first hand the importance of instilling career aspirations for young women. Girls, as well as boys, must learn by example, the importance of work and the benefits of a career.

From all kinds of sources we are being told that girls do not receive the attention from teachers they deserve or the education they need to succeed in this world. We know that women today do not receive equitable paychecks to their male counterparts. No doubt these things must change.

But, in the meantime, it is up to parents to teach young people early on the benefits that come from a good education, and from hard work. Girls as well as boys should be taught that working hard and playing by the rules do pay off. Today, when American's daughters see their mothers' achievements in the work place, they will learn not only the great heights women have reached but the obstacles they have overcome in getting there as well.

Hopefully, girls and young women will aspire to even greater heights and seek to eliminate the obstacles of generations before them. Hopefully, they will recognize our world's everyday heroines and want to be just like them.

Today is a reminder that we must teach our young women they are an important part of this country's future, that their contribution is crucial to our success as a whole and that they can make a difference. With their aspirations and potential, we will all benefit.

I join my colleagues on both sides of the aisle in commending the Ms. Foundation on the inauguration of Take Our Daughters to Work Day.

### IN SUPPORT OF THE FORMER SOVIET UNION NUCLEAR THREAT REDUCTION ACT OF 1993

#### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. BERMAN. Mr. Speaker, I am pleased today to join my colleagues PETE STARK, LANE EVANS, and NORMAN DICKS, in cosponsoring

this important legislation to develop a program to reduce the nuclear threat from the former Soviet Union. This program offers nuclear safety assistance to four Soviet Republics—Russia, Ukraine, Belarus, and Kazakhstan—conditional upon meeting certain arms control commitments.

The last thing the world needs is the emergence of new nuclear weapon states. It is imperative, therefore, that these four Republics fulfill their obligations under the Lisbon Protocol to ratify the Start I Treaty, and, for the three non-Russian Republics to join the nuclear Non-Proliferation Treaty as nonnuclear weapon states.

This serious issue needs new initiatives to meet the realities ahead of us. This legislation aims to provide assistance to reduce the environmental and national security threats from nuclear facilities in these republics once they have met their obligations.

The Department of Energy will administer this program with \$500 million of unobligated Department funds. The assistance provided would speed up the retirement of plutonium producing facilities, and accelerate the closure of Chernobyl-type nuclear reactors. It would assist in the safe disposal and storage of radioactive materials, and promote the use of alternative energy sources. Of mutual interest to both the former Soviet Union and the United States will be the establishment of training and technology programs, and the cooperative sharing of information which will strengthen nuclear materials accounting and security systems.

It is of vital importance to our national security that arms control treaties be adhered to, and once these Republics fulfill their arms control commitments, they will reap real benefits from the assistance provided for the environmental cleanup of their nuclear programs.

### U.S. SERVICE EXPORTS ARE GROWING RAPIDLY, BUT ALMOST UNNOTICED

#### HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. OXLEY. Mr. Speaker, the following article, which appeared in the April 21 edition of the Wall Street Journal, points out the good news about the trade issue. I recommend this for all of my colleagues and anyone else who is truly interested in an accurate picture of the entire issue of trade and foreign trade surpluses and deficits.

#### U.S. SERVICE EXPORTS ARE GROWING RAPIDLY, BUT ALMOST UNNOTICED

(By Ralph T. King, Jr.)

American companies that don't make a thing are turning the U.S. into an export powerhouse.

The country's merchandise deficit, at \$96 billion last year and topping \$100 billion in seven of the past nine years, provokes repeated outbursts against America's trading partners. But almost unnoticed, U.S. companies that sell services, rather than raw materials or manufactured goods, racked up a \$59 billion trade surplus last year, a nearly five-fold increase from 1986. If goods and services

trade data are lumped together—they aren't, because of an outdated Commerce Department convention—it becomes clear that the U.S. has an ace-in-the-hole in world trade.

U.S. companies are sparking "a hidden boom in services exports," says Allen Sinai, a Boston Co. economist. That boom not only enriches the companies and their shareholders but also creates a significant number of high-paying jobs in the U.S.—though fewer jobs than a boom in manufactured exports would bring.

#### A VARIETY OF SUPPLIERS

World-class suppliers of services include brand-name giants such as American Express Co., McDonald's Corp., and Walt Disney Co. Also among them are thousands of smaller companies such as Monitor Co., a management consulting firm in Cambridge, Mass., that gets half of its \$60 million in annual revenue from abroad. What all these companies are exporting so successfully is information, know-how, creativity, and technology, things the rest of the world badly wants.

"Information is as much a product as an automobile. . . . But this is not the way people look at it. We are conditioned by the goods economy of yesteryear," Mr. Sinai says.

The misconception arises in part from the onslaught of consumer imports such as Japanese cars and stereos, which don't blend into the woodwork the way untangible U.S. services do abroad. Few people know that last year the U.S. ran a surplus in services with Japan totaling \$11 billion, equal to 28% of America's \$50 billion merchandise deficit with that country.

#### STATISTICAL PROBLEMS

Moreover, the Commerce Department reports merchandise-trade data monthly—prompting gloomy headlines every time—and releases services-trade figures quarterly with a three-month lag. The reason: Widgets are more easily tracked and counted than services such as waste management or data processing. The government doesn't include most financial services because electronic money flows are so hard to categorize. Some experts believe that the recently reported \$167 billion in services exports for 1992 may be understated by at least 20%.

But as the nation's private services sector has eclipsed manufacturing in output, its importance in foreign trade has surged, to 28% of total exports from 17% in 1980. And as the wealth of U.S. trading partners grows—and if trade barriers continue to fall—foreign demand for U.S. services is bound to increase. Mr. Sinai says it is "very easy to see" the services trade surplus "doubling or tripling by the end of the decade," to nearly \$200 billion.

Some of the services responsible for the "hidden boom" don't seem like exports at all. For example, spending by foreign visitors to the U.S.—on hotel rooms, restaurant meals, air fares, vacation attractions and the like—generated about one-third of the \$59 billion private services surplus last year. Foreign enrollment in U.S. universities, totaling more than 400,000 students, added \$5 billion or so.

All the rest is generated by business and technical services such as engineering, accounting, computing and legal services and by entertainment and new technologies that earn royalties and license fees. Companies offering services of these types have achieved the fastest growth abroad. At Disney, Chairman Michael Eisner says foreign sales, which already account for 19% of total sales up from 10% in 1987, should continue to



grow faster than its domestic business. At Texas Instruments Inc., royalties paid by foreigners for use of its computer-chip-making patents have quadrupled since 1987 to nearly \$400 million. And at Waste Management Inc., foreign sales surged more than 15-fold in the past six years, to \$1.5 billion in 1992.

In addition to profits from exports, U.S. companies earned about \$20 billion last year on sales by their foreign-based service operations, such as travel offices operated by American Express in New Delhi and Cairo. That figure is also expected to rise sharply. U.S. capital investment in such operations doubled between 1986 and 1991 to a cumulative \$216 billion, exceeding that of U.S. manufacturers abroad.

Services exports have been aided by the plunge in the dollar since 1985. In addition, U.S. service companies, helped by superior universities and honed by an intensely competitive economy, are far more productive than their foreign rivals. McKinsey & Co. calculated that American companies are about 50% more efficient than Japanese retailers and German telecommunications concerns. These and other nations limit U.S. companies' access to key service markets, partly in hopes of catching up.

Nevertheless, the wider U.S. economy, and especially its work force, won't reap all or even most of the benefits from this boom because services are very different from manufactured goods. Although U.S. goods sold abroad create mostly U.S. jobs, the sale of U.S.-generated services often involves lots of foreign employees because many services are, by necessity, provided locally. At American International Group Inc., most of the huge insurance company's policies are devised by experts at its New York headquarters. But AIG has 16,000 foreign employees, amounting to half its total work force, selling and processing policies in 130 countries.

Moreover, much American service capability can be easily transplanted. One of the world's largest and most advanced aircraft-maintenance facilities is expected to siphon plenty of jobs and work away from U.S.-based shops when it opens at year end in Tijuana, Mexico. The owner, Matrix Aeronautica, says that Americans will provide training and supervision but that the majority of employees will be lower-wage Mexican technicians.

#### GE'S JOB MOVES

Similarly, General Electric Co. eliminated hundreds of essentially service jobs at plants in the Midwest by shifting technical drafting to computer-aided designers in India and Eastern Europe, says James Sommerhauser of the International Federation of Professional and Technical Engineers. To head off such developments at American Telephone & Telegraph Co., the Communications Workers of America union is working closely with the company in strategic planning. "We want to make sure service jobs aren't exported the way manufacturing jobs have been," says Jeff Miller, a CWA spokesman.

Some American companies dominate service markets abroad because they treat customers better than foreign rivals do. Thus, American Express, which first made it easier for Americans to go abroad, now also caters to foreigners in their own countries. Within Germany, 80% of all American Express card usage is by Germans, up from 50% five years ago. Germans, and cardholders in 30 countries, now get their bills denominated in the local currency. The company's foreign revenue has nearly tripled since 1982 to an esti-

mated \$5.5 billion last year, some 20% of its total revenue.

Even when technology transfer is the primary objective, customer focus comes into play. In 1989, a consortium including a unit of Pacific Telesis Group, the San Francisco Baby Bell, won the right to build and partly own a \$2 billion cellular-phone network in Germany. Other bidders had the technical expertise, but the Pactel unit offered support systems critical to building the business and making it user-friendly, things such as accounting software, management information systems and customer-service procedures.

"In the U.S., we expect good service," says Jan Neels, president of the unit, Pacific Telesis International. "That has forced U.S. companies to cater to it, and that is why we bring value" to projects in Europe where until recently the attitude was, "Shut up, you should be glad you have [phone] service." After just four years, foreigners account for 15% of the unit's 800,000 cellular customers world-wide.

Some opportunities arise from Americans' long experience with problems that other countries are just beginning to face. U.S. environmental regulations, for example, spawned a giant waste-handling industry, an industry that is primitive or nonexistent in much of the world. Into this void waded Waste Management. It collects trash, cleans streets and constructs sanitary landfills in 20 countries, including Argentina and New Zealand. It also has a 15-year contract to run a hazardous-waste treatment plant that will process all of Hong Kong's industrial waste.

Complicated legal and tax systems in the U.S. have provided a similar advantage to law and accounting firms. At Chicago-based Baker & McKenzie, the world's largest law firm, more than half its 1,651 attorneys work outside the U.S. Its chairman, John McGuigan, is Australian, and many partners are eligible to practice law in several countries. Like American Express, it expanded with the aim of serving U.S. multinationals wherever they operated, and now it advises many foreign clients at home and abroad. Besides the major capitals, the firm has offices in cities such as Valencia, Venezuela.

As big and vibrant as it is, the U.S. economy is a breeding ground for state-of-the-art thinking on many fronts. Monitor Co., for example, provides a pipeline for management ideas from the best U.S. business schools through seven overseas offices, including ones in Madrid, Milan and Seoul. Co-founded in 1984 by Michael Porter, a Harvard professor, the firm conceives business strategies to help clients exploit their competitive strengths.

Big companies such as Texas Instruments aren't the only ones tapping demand for U.S. technology. Visual Software Inc., of Woodland Hills, Calif., employs about a dozen software engineers who customize graphics and animation code for clients in places such as Cyprus, Austria and Mexico. One foreign government retained the company to make voter-identification cards using unforgivable 3-D photo images. Founded just three years ago, Visual says 40% of its \$3.5 million of revenue comes from abroad.

Douglas Richard, Visual Software's chief executive, doubts that the U.S. will lose its dominance in software programming anytime soon. "People say India has hundreds of programmers lining up software code at low cost. That's fine as long as the code is like assembling a toaster," he says. "But if you introduce a creative element into the process, which inevitably you do, then [software writing] is much more a craft, closer to writing a novel than building a toaster."

#### ENTERTAINING NUMBERS

Ditto for the entertainment industry, the nation's second-largest exporter after aerospace. Disney accounted for a big slice of the industry's estimated 1992 surplus of \$6 billion. The company produces the most popular TV shows in Russia and Germany, publishes Italy's bestselling weekly magazine and lures more Japanese visitors to Tokyo Disneyland than almost any other attraction in Japan. Foreign box-office revenue for "Beauty and the Beast" alone hit \$200 million.

Mr. Eisner, Disney's chairman, attributes the success of his company and others in Hollywood partly to the size and affluence of the world's English-speaking population. But also, he says, foreigners "sense that what ends up on the screen is freely created. We are making movies about and in a system of freedom . . . that [many foreigners] revere. Our political system creates intellectual products that are hungered for around the world."

Besides entertainment, the world yearns for nuts-and-bolts ideas that lift living standards. Enter U.S. franchisers, some 450 strong with 40,000 outlets worldwide, which are tapping into a rich entrepreneurial vein in many cultures. This is especially true in places such as Eastern Europe and South Africa, where small business has been hobbled for years.

The global expansion of McDonald's is well known, but how about that of I Can't Believe It's Yogurt Ltd.? During its 15 years in the U.S., the Dallas based franchiser has created a step-by-step procedure for opening and running a frozen-yogurt store anywhere in the world, says James Amos Jr., its chief operating officer. It works closely with local contacts familiar with the requirements and idiosyncrasies of each country, and it promotes franchisees' long-term success by getting most of its profit from product sales rather than up-front franchise fees. In the past three years, the company has opened 127 outlets in 20 countries; it expects to have 1,000 within two years.

"The world is not panting for frozen yogurt because they don't know what it is," Mr. Amos says. "But they are desperate for ways to start a business."

#### TRIBUTE TO JAYNE SHAPIRO

#### HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. McKEON. Mr. Speaker, I rise today to pay tribute to Jayne Shapiro of Granada Hills, CA. Jayne is being honored on May 16, 1993, by the Abraham Joshua Heschel Day School as their woman of the year for her outstanding service and dedication to the school and the community.

Jayne has been associated with many vital Heschel projects and has served the school in many capacities. She has served as president of the parent organization, providing leadership, energy and undying dedication to the school and its mission. Jayne was also vice president of the capitol funds and ways and means committees. In these positions she offered her strength of conviction and character to uphold the principles and standards of the school and to secure the successful financial continuance of Heschel.

Jayne is also recognized as an accomplished Jewish activist for her strong commitment and dedication to the Jewish community. Jayne serve on the executive boards of the United Jewish Appeal, national women's division and chaired a national women's division mission to Prague and Israel.

Jayne also served as United Jewish Fund women's division campaign chair for the San Fernando Valley region and is presently on its executive board. Jayne's leadership and years of service have won her appointment to the national and Los Angeles regional executive boards of the American Israel Political Action Committee [AIPAC]. She is also a life member of Hadassah, a member of the Golda Meir Club for Israel Bonds, and an ardent supporter of the Jewish National Fund.

Mr. Speaker, Jayne is truly a remarkable individual. Her unbridled devotion to her community should be enthusiastically commended. I am fortunate enough to count Jayne Shapiro as one of my constituents, and a friend that I truly admire. I offer her my sincerest congratulations and ask my colleagues to join me in saluting her tireless efforts.

## RUSSIAN TRIP

### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. HYDE. Mr. Speaker, a bipartisan leadership group led by Republican Leader ROBERT MICHEL and Majority Leader RICHARD GEPHARDT recently traveled to Ukraine and Russia. While on the trip, I wrote a series of six articles for the Daily Herald which I would like to share with my colleagues.

The following two articles are last in the series. The first describes our very interesting meeting with Vice President Aleksandr Rutskoy. The second concludes the series with some of my observations on the future of Russia and the role of the United States and the West in supporting the reform process.

#### RUSSIAN VICE PRESIDENT HAS NO USE FOR YELTSIN'S REFORMS

(By Henry Hyde)

MOSCOW.—The most interesting interview of our Moscow visit was with Vice President Aleksandr Rutskoy. Rutskoy is an outspoken adversary of President Yeltsin. We met in his office which is dominated by a huge portrait of Peter the Great and a large wall map of the pre-1991 Soviet Union. An impressive man, not cordial but direct and proper, he reminds me of a graying Tom Selleck. Dressed impeccably, he struck me as a person who didn't welcome small talk. His background includes service in Afghanistan (where the told us the military tried to brainwash him with anti-American propaganda which—he said—he never believed. Maybe not ALL, Mr. Vice President, but SOME?)

He rose to the rank of Major General in the Air Force after joining the Communist Party in 1970. He flew 429 bomber missions in Afghanistan before getting shot down and injuring his back. He returned and flew another 100 missions, was again shot down and captured by the Afghan rebels. He was awarded the Hero of the Soviet Union medal for his war service. He has traveled widely

but never to the United States. He is important, as I was told by a senior foreign correspondent for a major newspaper, because he "represents the future of Russia." Rutskoy denies media reports that he rejects all American aid, although he repeated his criticism that it is humiliating for Russia to go like a beggar seeking money from the U.S.

He denies that the so-called reforms have been thought out, calling them largely slogans, not ideas. He accused the U.S. of a double standard in not objecting to abuses of ethnic Russians in the Baltic states, whereupon Congressman Tom Lantos, D-Calif., forcefully reminded Rutskoy that in fact we did protest. "Actions speak louder than words" was his testy reply.

He rattled off a lot of statistics designed to prove that Russian reforms have only destabilized a once orderly society. He mentioned the escalating crime rate in Moscow and the floods of refugees fleeing from the other former Soviet republics to Russia.

The vice president believes firmly in government economic controls, but we got no details. He asserted four priorities, housing, food, clothing and medicine. "If we can solve these, we can have a successful society," he said. One ray of sunshine in what was mostly a depressing thunderstorm was his mention that he admired Americans who touch their heart when their National Anthem is played—this demonstrating love for their motherland.

He made two suggestions on American aid to Russia, perhaps to soften the mood his lecture had created. He suggested that Americans should invest in joint ventures with Russians—advice that was contradicted by Moscow's American business community we had breakfast with the next morning. He also asserted that every dollar we provide should be invested "in a concrete project to achieve concrete results, otherwise it just goes in the sand." This last advice may have been worth the entire trip!

#### FOR THE UNITED STATES, THE STAKES IN RUSSIA ARE HIGH

We have finished refueling at Shannon airport after a nearly four-hour flight from frigid St. Petersburg, Russia, and now face a seven-hour last leg to where it all started eight days ago—Andrews Air Force Base near Washington. In the last week we have met with a host of senior people in government and business in Ukraine and Russia.

Earlier—in our final day in Moscow, we had spent about three hours with some American businessmen who are trying to get a foothold in the new Russian system. They were very bright, very frustrated by uncertainties and hopeful that all the bureaucratic red tape that ties them in knots could be overcome.

We flew to St. Petersburg on Friday and as we left the airplane walked into falling snow and biting wind. In this northern port city of about five million people, we met with the mayor, local officials, our consulate staff and more American business people getting established here. We heard a mixture of pride, hope, frustration and optimism. We encountered more reformers in this historic and architectural feast of a city, and greater expectations that "everything in the end will turn out right!"

What conclusions have I reached? First, Yeltsin does matter for the future of Russia because there is no one quite like him. All the other big names in Russia who claim the mandate of reform cannot measure up to his prestige, nor command his following. This

makes our job a delicate one. Should he lose the April 25 referendum and feel constrained to resign—as he has threatened to do—we must be prepared to work with his successors, provided they are also reformers. Yeltsin's popularity has been slipping, but he is still the most preeminent political figure in Russia.

The country will remain in crisis for years to come, even should Yeltsin win and get his reforms adopted by a new Parliament. It took Poland three years to turn her economy around and she took the "cold plunge" to reform. Russia is like a man with a heart attack running in a marathon—very, very tentative. Ukraine is even more so, with no major economic reform or significant privatization under way.

A world about the Russian military. They don't want to be used to quell dissent in Vilnius, Lithuania and in Georgia. They don't want to be on the losing side and they have no desire to be fractured internally by conflicting politics.

The U.S. and the West face difficult challenges and choices in Russia. Do we help her become a peaceful free enterprise democracy, or do we let her slowly twist in the wind, with her 30,000 nuclear warheads, finally reverting to a West-hating inward looking nationalist state seething with ethnic hatreds? Do we watch as spectators as the former Soviet Union becomes a present day Yugoslavia?

For 76 years the free world has been threatened by the specter of international communism. Since 1945, we have evolved into two colossal nuclear superpowers glaring at each other across the Bering Strait, across Europe, Asia, Africa and Latin America. Now, in an event of earth shaking proportions, the Soviet Union has collapsed and its republics are trying to revive themselves as proud nations. Russia and Ukraine still have enormous resources, both physical and human. Their 300 million people will constitute a huge market for our goods and services as they struggle to join the West as a free market democracy.

I believe the United States, and the West as a whole, should support both private and government efforts to advance the process of economic and political reform in those countries so long as reform continues and our support is necessary and achieving real, measurable progress. The stakes are very high. The risks are great. But, I believe we owe a safer world to our children and their children. I believe being leader of the free world requires taking the long view of the world and the years ahead. With our help and our example such a world will include a peaceful, democratic Russia.

## VILLA MARIA ACADEMY CELEBRATES 75TH ANNIVERSARY

### HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. QUINN. Mr. Speaker, I rise today on the floor of this House to join with the people of western New York in honor of the 75th anniversary of Villa Maria Academy.

On Sunday, May 2, 1993 at the Statler Golden Ballroom, I will join Principal Mary Angelica Bielski, administrators, faculty and alumnae for their diamond anniversary banquet.



It was 1901 when a private Catholic secondary school for young women was begun in a small building at the corner of William and Kennedy Streets in Buffalo.

Administered by the Felician Sisters, the mission of the then Immaculate Heart of Mary Academy was to educate and prepare young women interested in entering religious life.

In 1918 the school received its regents charter from the State of New York. It is from this point that Villa Maria Academy marks its official beginning.

Seventy-five years later, Villa Maria Academy stands as an educational cornerstone of the Buffalo and Cheektowaga communities. Empowered by a caring staff of both Felician and lay professionals, Villa Maria Academy continues to provide a high standard of educational excellence in an atmosphere of spirituality and creativity.

The academy offers its students a unique blend of educational resources and experiences which help them to recognize their own goodness, worth and potential as individuals.

The administration and faculty at Villa Maria Academy strive to help young women to develop fully by offering quality learning experiences, by encouraging personal leadership, and commitment to Gospel values.

I am pleased to offer my best wishes on this historic occasion. I commend Villa Maria Academy for a job well done and offer a wish for continued success into the next century.

#### TRIBUTE TO AMNESTY INTERNATIONAL

#### HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. PORTER. Mr. Speaker, I rise to pay tribute to the work of Amnesty International, one of the world's leading human rights organizations, and to its current secretary general, Mr. Pierre Sane.

Since Amnesty's founding in London in 1961, its network of over 1 million members has operated under the belief that governments should not be permitted to deny individuals their basic human rights. These volunteers have worked to encourage the release of over 25,000 prisoners of conscience in countries around the globe.

Amnesty International works to free men and women who have been detained or imprisoned because of their race, ethnic origin, sex, religion, language, or political beliefs provided they have not used or advocated violence. Amnesty also works to ensure the implementation of internationally recognized standards of fair and prompt trials and opposes the use of torture and the death penalty in all cases. On account of its efforts to persuade the governments of all countries to adhere to the Universal Declaration of Human Rights, Amnesty was awarded the Nobel Peace Prize in 1977.

This year marks the 10th anniversary of the congressional human rights caucus, which I am proud to cochair with my colleague, TOM LANTOS. Throughout its existence, the caucus has received invaluable assistance from Am-

nesty on a variety of human rights matters. We have frequently called upon the staff of Amnesty to provide statements for us in briefings and other events which the caucus has sponsored. We have also relied on Amnesty's reports for much of the work that we do to raise awareness about human rights issues in the Congress.

The secretary general of Amnesty International, Pierre Sane, will be in attendance at an event this week in the Capitol to honor Nobel Prize recipients and to rededicate ourselves to the cause of human rights. Mr. Sane, a native of Dakar, Senegal, was appointed to his current position in 1992. Before his appointment, he worked with the International Development Research Center and founded the International Committee on PANAF in an effort to promote regional integration and democracy in Africa.

Mr. Speaker, Amnesty International is recognized around the world for its tireless efforts to promote and protect the human rights of all persons and for its vigilance in working to free prisoners of conscience. It is with great respect for the work of this fine organization that I rise today to pay tribute to Amnesty International and its leader, Pierre Sane.

#### CHARLES CARROLL HOUSE

#### HON. WAYNE T. GILCREST

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. GILCREST. Mr. Speaker, on May 8, 1993, the Charles Carroll House in Annapolis, MD, will be opened to the public following an extensive renovation. This historical house will serve as an educational and cultural tool for both Annapolis and the State of Maryland.

This historical landmark housed several generations of the Carroll family, who were known for their wealth and influence in Maryland and throughout the Nation. The motto inscribed on the Carroll family crest reads: "Anywhere, So Long As There Be Freedom." This seems to have been the driving force behind Charles Carroll's original departure from Ireland to America in 1688.

After arriving in America, however, Carroll faced much religious discrimination and persecution because of his Roman Catholic faith. His grandson, Charles Carroll of Carrollton, also experienced discrimination as a result of his Roman Catholic beliefs, and was not permitted to vote or practice law. In spite of these drawbacks, he became one of the wealthiest men in the Nation, and a prominent figure in American history. He not only participated in the drafting of both the Maryland State Constitution and Bill of Rights, he also signed the Declaration of Independence. Throughout his political participation, he supported the rights for personal freedoms—religious and political.

The Carroll House has the distinction of being the only existing birthplace of a Maryland signer of the Declaration of Independence, and one of 15 such birthplaces in the United States.

Mr. Speaker, on behalf of Maryland residents, I express great pride and joy over the completion of this restoration and acquisition of another piece of American history.

#### TAKE OUR DAUGHTERS TO WORK DAY HELPS BUILD SELF-ESTEEM

#### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mrs. MALONEY. Mr. Speaker, as you may have noticed, there have been many new faces in this Chamber today including my 13-year-old daughter, Christina, and her classmates, Tarajia Morrell and Yasmine Nemaze.

These young women, who are all students at the Spence School in New York City, are here today as a result of a remarkable project, sponsored by the Ms. Foundation, called Take Our Daughters to Work.

Hundreds of businesses, nonprofit groups, and government agencies are taking part in this effort. What we are trying to do today is build self-esteem among young women and to expose them to a wide variety of career opportunities.

When I was growing up, such a nationwide event—celebrating the talents and potential of young women—was just about unthinkable. But today the world of work has changed. A woman's place is no longer only in the home. It is also in the House of Representatives and in the White House.

Earlier today a friend described hope as a muscle, something that must be exercised in order to gain strength. There is a lot of hope among the young women participating in this event today, and I am proud to join my colleagues in helping make that hope stronger.

#### BRUCE MARTIN HONORED

#### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. TORRES. Mr. Speaker, I rise today to recognize Bruce Martin, manager of the Whittier Area Chamber of Commerce. Mr. Martin is retiring from the Whittier Area Chamber of Commerce after 14 years of service to the community and will be honored at a special luncheon on May 3, 1993.

Born and raised in Whittier, Mr. Martin graduated from Whittier High School in 1953. In 1957, Mr. Martin received his bachelor of arts degree in business from Whittier College. He and his lovely wife, Sally, have been married for 32 years. They have one daughter, Pepper, who graduated from Chapman University in 1992.

Bruce has dedicated his career to serving the people and community of Whittier. From 1957 to 1971, Mr. Martin worked with the Shell Oil Co. He served as the chamber director for the Pico Rivera Chamber of Commerce from 1971 to 1979. In 1979, Mr. Martin began his tenure as executive chamber director for the Whittier Area Chamber of Commerce. Under his leadership, the Chamber of Commerce has implemented numerous successful programs, including the Kenny Ball Marketing Center, the Whittier Hilton Hotel, working with the city, State, and Federal Government devising an earthquake recovery program.

The Chamber of Commerce, due to Bruce's visionary leadership, enhanced its involvement in issues germane to the business community, establishing a part-time marketing director and increasing its committees from 12 to 19. In addition, for the past 21 years, Bruce has successfully organized and coordinated the annual students Sacramento trip which provides students the opportunity to visit area legislators and learn more about California's legislative process.

Bruce also has been an active member of the Whittier Host Lions Club and Whittier College's Lancers Society. He has served as an active board member of the Presbyterian Intercommunity Foundation and the Whittier College Shannon Performing Arts Center.

Mr. Speaker, on May 3, 1993, Bruce Martin will be honored by the community of Whittier, the Whittier Area Chamber of Commerce, his family, friends, and colleagues for his exemplary contributions to the residents and businesses of Whittier. I ask my colleagues to join me in thanking and saluting this exceptional individual for his outstanding record of unselfish service.

## NATIONAL ABORTION FEDERATION REPORT

**HON. ROBERT K. DORNAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. DORNAN. Mr. Speaker, I commend to the attention of the American people the following report from the National Abortion Federation on late-term abortions. I would like to remind everyone that second and third trimester abortions on demand will be perfectly legal should Congress pass H.R. 25, the Freedom of Choice Act.

### DILATION AND EXTRACTION FOR LATE SECOND TRIMESTER ABORTION

(By Martin Haskell, M.D.)

#### INTRODUCTION

The surgical method described in this paper differs from classic D&E in that it does not rely upon dismemberment to remove the fetus. Nor are inductions or infusions used to expel the intact fetus.

Rather, the surgeon grasps and removes a nearly intact fetus through an adequately dilated cervix. The author has coined the term Dilation and Extraction or D&X to distinguish it from dismemberment-type D&E's.

This procedure can be performed in a properly equipped physician's office under local anesthesia. It can be used successfully in patients 20-26 weeks in pregnancy.

The author has performed over 700 of these procedures with a low rate of complications.

#### BACKGROUND

D&E evolved as an alternative to induction or instillation methods for second trimester abortion in the mid 1970's. This happened in part because of lack of hospital facilities allowing second trimester abortions in some geographic areas, in part because surgeons needed a "right now" solution to complete suction abortions inadvertently started in the second trimester and in part to provide a means of early second trimester abortion to avoid necessary delays for instillation methods. The North Carolina Conference in 1978

established D&E as the preferred method for early second trimester abortions in the U.S. Classic D&E is accomplished by dismembering the fetus inside the uterus with instruments and removing the pieces through an adequately dilated cervix.

However, most surgeons find dismemberment at twenty weeks and beyond to be difficult due to the toughness of fetal tissues at this stage of development. Consequently, most late second trimester abortions are performed by an induction method.

Two techniques of late second trimester D&E's have been described at previous NAF meetings. The first relies on sterile urea intra-amniotic infusion to cause fetal demise and lysis (or softening) of fetal tissues prior to surgery.

The second technique is to rupture the membranes 24 hours prior to surgery and cut the umbilical cord. Fetal death and ensuing autolysis soften the tissues. There are attendant risks of infection with this method.

In summary, approaches to late second trimester D&E's rely upon some means to induce early fetal demise to soften the fetal tissues making dismemberment easier.

#### PATIENT SELECTION

The author routinely performs this procedure on all patients 20 through 24 weeks LMP with certain exceptions. The author performs the procedure on selected patients 25 through 26 weeks LMP.

The author refers for induction patients falling into the following categories: Previous C-section over 22 weeks; Obese patients (more than 20 pounds over large frame ideal weight); Twin pregnancy over 21 weeks; and Patients 26 weeks and over.

#### DESCRIPTION OF DILATION AND EXTRACTION METHOD

Dilation and extraction takes place over three days. In a nutshell, D&X can be described as follows: Dilation; More dilation; Real-time ultrasound visualization; Version (as needed); Intact extraction; Fetal skull decompression; Removal; Clean-up; and Recovery.

##### Day 1—Dilation

The patient is evaluated with an ultrasound, hemoglobin and Rh. Hadlock scales are used to interpret all ultrasound measurements.

In the operating room, the cervix is prepped, anesthetized and dilated to 9-11 mm. Five, six or seven large Dilapan hydroscopic dilators are placed in the cervix. The patient goes home or to a motel overnight.

##### Day 2—More Dilation

The patient returns to the operating room where the previous day's Dilapan are removed. The cervix is scrubbed and anesthetized. Between 15 and 25 Dilapan are placed in the cervical canal. The patient returns home or to a motel overnight.

##### Day 3—The Operation

The patient returns to the operating room where the previous day's Dilapan are removed. The surgical assistant administers 10 IU Pitocin intramuscularly. The cervix is scrubbed, anesthetized and grasped with a tenaculum. The membranes are ruptured, if they are not already.

The surgical assistant places an ultrasound probe on the patients abdomen and scans the fetus, locating the lower extremities. This scan provides the surgeon information about the orientation of the fetus and approximate location of the lower extremities. The transducer is then held in position over the lower extremities.

The surgeon introduces a large grasping forcep, such as a Bierer or Hern, through the vaginal and cervical canals into the corpus of the uterus. Based upon his knowledge of fetal orientation, he moves the tip of the instrument carefully towards the fetal lower extremities. When the instrument appears on the sonogram screen, the surgeon is able to open and close its jaws to firmly and reliably grasp a lower extremity. The surgeon then applies firm traction to the instrument causing a version of the fetus (if necessary) and pulls the extremity into the vagina.

By observing the movement of the lower extremity and version of the fetus on the ultrasound screen, the surgeon is assured that his instrument has not inappropriately grasped a maternal structure.

With a lower extremity in the vagina, the surgeon uses his fingers to deliver the opposite lower extremity, then the torso, the shoulders and the upper extremities.

The skull lodges at the internal cervical os. Usually there is not enough dilation for it to pass through. The fetus is oriented dorsum or spine up.

At this point, the right-handed surgeon slides the fingers of the left hand along the back of the fetus and "hooks" the shoulders of the fetus with the index and ring fingers (palm down). Next he slides the tip of the middle finger along the spine towards the skull while applying tension to the shoulders and lower extremities. The middle finger lifts and pushes the anterior cervical lip out of the way.

While maintaining this tension, lifting the cervix and applying traction to the shoulders with the fingers of the left hand, the surgeon takes a pair of blunt curved Metzenbaum scissors in the right hand. He carefully advances the tip, curved down, along the spine and under his middle finger until he feels it contact the base of the skull under the tip of his middle finger.

Reassessing proper placement of the closed scissors tip and safe elevation of the cervix, the surgeon then forces the scissors into the base of the skull or into the foramen magnum. Having safely entered the skull, he spreads the scissors to enlarge the opening.

The surgeon removes the scissors and introduces a suction catheter into this hole and evacuates the skull contents. With the catheter still in place, he applies traction to the fetus, removing it completely from the patient.

The surgeon finally removes the placenta with forceps and scrapes the uterine walls with a large Evans and a 14 mm suction curette. The procedure ends.

#### RECOVERY

Patients are observed a minimum of 2 hours following surgery. A pad check and vital signs are performed every 30 minutes. Patients with minimal bleeding after 30 minutes are encouraged to walk about the building or outside between checks.

Intravenous fluids, pitocin and antibiotics are available for the exceptional times they are needed.

#### ANESTHESIA

Lidocaine 1% with epinephrine administered intra-cervically is the standard anesthesia. Nitrous-oxide/oxygen analgesia is administered nasally as an adjunct. For the Dilapan insert and Dilapan change, 12cc's is used in 3 equidistant locations around the cervix. For the surgery, 24cc's is used at 6 equidistant spots.

Carbocaine 1% is substituted for lidocaine for patients who expressed lidocaine sensitivity.



## MEDICATIONS

All patients not allergic to tetracycline analogues receive doxycycline 200 mgm by mouth daily for 3 days beginning Day 1.

Patients with any history of gonorrhea, chlamydia or pelvic inflammatory disease receive additional doxycycline, 100 mgm by mouth twice daily for six additional days.

Patients allergic to tetracyclines are not given prophylactic antibiotics.

Ergotrate 0.2 mgm by mouth four times daily for three days is dispensed to each patient.

Pitocin 10 IU intramuscularly is administered upon removal of the Dilapan on Day 3.

Rhogam intramuscularly is provided to all Rh negative patients on Day 3.

Ibuprofen orally is provided liberally at a rate of 100 mgm per hour from Day 1 onward.

Patients with severe cramps with Dilapan dilation are provided Phenergan 25 mgm suppositories rectally every 4 hours as needed.

Rare patients require Synalogs DC in order to sleep during Dilapan dilation.

Patients with a hemoglobin less than 10 g/dl prior to surgery receive packed red blood cell transfusions.

## FOLLOW-UP

All patients are given a 24 hour physician's number to call in case of a problem or concern.

At least three attempts to contact each patient by phone one week after surgery are made by the office staff.

All patients are asked to return for check-up three weeks following their surgery.

## THIRD TRIMESTER

The author is aware of one other surgeon who uses a conceptually similar technique. He adds additional changes of Dilapan and/or laminaria in the 48 hour dilation period. Coupled with other refinements and a slower operating time, he performs these procedures up to 32 weeks or more.

## SUMMARY

In conclusion, Dilation and Extraction is an alternative method for achieving late second trimester abortions to 26 weeks. It can be used in the third trimester.

Among its advantages are that it is a quick, surgical outpatient method that can be performed on a scheduled basis under local anesthesia.

Among its disadvantages are that it requires a high degree of surgical skill, and may not be appropriate for a few patients.

## CHINA BRUTALIZES ITS WOMEN

## HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1993

Mr. SMITH of New Jersey. Mr. Speaker, this past Sunday, April 25, 1993, the New York Times published two articles which dramatically expose the barbarism which is used to enforce the People's Republic of China's birth quota policy.

This brutal Government-sanctioned policy, which employs forced abortions and involuntary sterilizations, violates numerous internationally recognized standards of human rights. It is profoundly disturbing that the U.N. Population Fund [UNFPA] continues to engage in an international coverup of China's heinous practices. Their top officials continue to publicly praise China's program as totally

voluntary despite mountains of evidence to the contrary. In addition, the UNFPA provides more than \$10 million worth of assistance to China's brutal population control program each year.

Mr. Speaker, the UNFPA's actions made a mockery of United Nation's proclamations on human rights. Unless the UNFPA can promptly prevail on China to cease their barbaric attacks on women and children, they should completely disassociate themselves from China's program.

President Clinton, for his part, should reverse his decision to provide U.S. funds to the UNFPA unless these conditions are met. I believe the President and my congressional colleagues will be profoundly moved if they take the time to read the following articles by Nicholas Kristof and Sheryl WuDunn.

## CHINA'S CRACKDOWN ON BIRTHS: A STUNNING, AND HARSH, SUCCESS

(By Nicholas D. Kristof)

BEIJING, April 24.—She should be taking her two-month-old baby out around the village now, proudly nursing him and teaching him about life. Instead, her baby is buried under a mound of dirt, and Li Qiuliang spends her time lying in bed, emotionally crushed and physically crippled.

The baby died because under China's complex quota system for births, local family planning officials wanted Ms. Li to give birth in 1992 rather than 1993. So on Dec. 30, when she was seven months pregnant, they took her to an unsanitary first-aid station and ordered the doctor to induce early labor.

Ms. Li's family pleaded. The doctor protested. But the family planning workers insisted. The result: the baby died after nine hours, and 23-year-old Ms. Li is incapacitated.

## LOWEST FERTILITY EVER

That episode in Hunan Province, described in a classified Government report and confirmed by the local authorities, is one outgrowth of a major nationwide crackdown by the Chinese family planning authorities. While the crackdown has been under way for two years, information about it is only now emerging as the authorities release population statistics showing a stunning decline in the birth rate.

The latest data suggest that through compulsory sterilization and other measures, China has lowered fertility to by far its lowest level ever here. The statistics for 1992—showing many fewer babies even than during the harsh crackdowns of the early 1980's—amazed population experts, for the family planners achieved targets that they had not expected to reach until the year 2010.

## PROBLEM FOR CLINTON

Ms. Li's persecutors had a reason for going to such extremes to enforce population quotas: they were protecting themselves under a new "responsibility system" that the Government has introduced as the mechanism for the crackdown. Under this system, central leaders hold local officials personally responsible for reducing births in their jurisdictions, and punish them for failing to do so.

The evidence of a far-reaching crackdown presents a direct challenge to the Clinton Administration. President Reagan had cut off United States financing of the United Nations Population Fund because of concerns that its work was intertwined with a coercive family planning program in China, but President Clinton announced last month that he would end the boycott.

Now the new evidence of a crackdown is likely to embarrass Mr. Clinton as he tries to restore funds to the United Nations program. Moreover, criticisms in the United States about forced sterilization in China are likely in turn to inflame Chinese sensitivities and could create new tensions in Chinese-American relations.

To be sure, some Chinese—particularly city-dwellers—support a tough family planning policy. They say the drop in fertility is helping to produce a historic economic boom and a rise in the nation's education and health standards.

By restricting couples to one or two children each, they say, the Government is helping to lead China out of poverty and into a modern, industrialized future. They note that one reason why China's long-term development prospects may be better than Bangladesh's or Kenya's is that Beijing appears to have defused its population bomb.

Peng Peiyun, the 64-year-old minister of the State Family Planning Commission, acknowledged in a rare news conference on Wednesday that it was mainly Government efforts that had brought down the birth rate.

"Why did fertility drop so drastically?" asked Ms. Peng, who two years ago convinced the Politburo to order the crackdown. "Above all because party and Government officials at all levels paid greater attention to family planning and adopted more effective measures."

The indications of a drop in fertility come in a raft of statistics announced by Ms. Peng, printed in the official Population News or disclosed by Chinese officials. Among the figures are these:

The birth rate dropped to 18.2 per 1,000 population in 1992, down from 21.1 in 1990 and 23.33 in 1987.

Based on last year's birth data, each Chinese woman can expect to have an average of 1.8 or 1.9 children in her lifetime—about the same as in the United States or Britain. China's total fertility rate as this statistic is known, was 2.3 in 1990 and had never before dipped below 2. In contrast, the average Indian woman has four children.

Only 9.6 percent of all births in 1992 were third, fourth or subsequent children. In 1988, the figure was 15.4 percent.

The proportion of couples of childbearing age who are sterilized or use contraception rose to 83.4 percent in 1992, up from 71.1 percent in 1988.

"It's what would be called saturation contraception in any other country," said Judith Banister, a specialist on China's population at the United States Bureau of the Census. "You can't get much higher than that."

## THE METHODS—STERILIZATION MADE EFFICIENT

China already has 1.17 billion inhabitants, 22 percent of the world's population on 7 percent of its arable land. Even at present fertility levels, the Chinese population will continue to soar because the age structure is very young and many Chinese have yet to enter their child-bearing years.

Some experts believe China's population will peak at almost 1.9 billion in the first half of the next century before stabilizing and then gradually declining again.

To Chinese peasants, who account for nearly one person in five on the planet, almost nothing is so important as bearing children, particularly sons. Many peasant couples feel that they have failed in life's mission, that they have dishonored their ancestors, if they do not extend the male line.

In the early 1980's, there was a storm of international protest when it became clear

that the local authorities sometimes dragged women to abortion clinics if they did not have permission to become pregnant. Interviews in a dozen provinces in the last few years suggest that such use of physical force is now less common.

Instead, the focus of the crackdown has shifted to the more efficient method of compulsory, organized sterilization, so that women do not have the option of becoming pregnant again.

Typically, local cadres swoop down on each village once or twice a year, taking all the women who have already had children to a nearby clinic. There they are fitted with IUD's or else undergo sterilization.

Some women manage to get pregnant again before they are sterilized; others flee the village on the day they are supposed to go to the clinic. When the authorities discover an unauthorized pregnancy, they normally apply a daily dose of threats and browbeating.

Some women buckle and accept an abortion, while many others simply flee to a relative's village, returning only after the child is born. In such cases, fines equivalent to hundreds or even thousands of dollars—per capita income in the countryside last year was \$135—are imposed. Peasants in many different provinces say homes are routinely knocked down if the fine is not paid.

#### WORST-CASE ABUSE—LOCAL OFFICIALS GET CARRIED AWAY

The report about Ms. Li, who is crippled after the induced labor, is an example of how local officials became carried away in the current crackdown. The three-page account, classified "secret," describes how Ningxiang County decreed in September that women should normally be allowed to give birth only after reaching the age of 24.

The problem for local authorities was that they had already given some women "pregnancy permits" even though they were under 24. Some of these women were pregnant. Nine of them—including Ms. Li—would not give birth until 1993, the first full year in which the new age limit took effect.

"Some district and township officials feared that they would be fined for not meeting the family planning targets, or would not receive their bonuses," the report declares.

So at the end of December the family planning officials formed an "early birth shock brigade" to round up all nine women so labor could be induced. When the team showed up at Ms. Li's home, her mother-in-law pleaded with the officials.

"My daughter-in-law's health isn't good, and she may not be able to get pregnant again," the report quotes the woman as saying. "So let her have one baby, someone to look after her and my son when they grow old. It doesn't matter if it's a boy or a girl. After it's born, she'll go get sterilized."

The officials rejected the plea. And at the first-aid station, when the doctor said Ms. Li was too frail to undergo induced labor, they swept his protests aside and ordered him to proceed. She bled severely, fell unconscious and almost died along with the baby.

Her family took her to the township clinic, which saved her life. Now she has returned home, but the report says she is crippled, without specifying the nature of her injuries.

The report deplores the actions of the local officials and calls for Ms. Li to be compensated for her medical expenses. But a county officer, reached by telephone, said that so far nothing had been done, except that the officials responsible for the "early birth shock brigade" have been summoned to a meeting and told not to induce labor in the future.

#### THE MOTIVATIONS—INSISTENCE ON MEETING TARGETS

In retrospect, it is now possible to piece together how the crackdown came about. Interviews with Chinese and foreign specialists, and examination of materials published in China, indicate that Ms. Peng and other senior officials became increasingly concerned in the late 1980's that enforcement was growing lax and that China would miss its targets.

In early 1991, Ms. Peng convinced Prime Minister Li Peng and the Communist Party General Secretary, Jiang Zemin, that the matter was urgent. The standing committee of the Politburo, the highest decision-making body, unanimously resolved to tighten family planning work.

Most important, the new "responsibility system" galvanized provincial leaders to pass warnings all the way down the chain of command: family planning targets had to be met! Otherwise, those in charge of the area would be fined or even dismissed.

A result was a 25 percent surge in the number of people sterilized in 1991, to 12.5 million. The number declined in 1992 to 6.5 million, apparently because most women of child-bearing age already had been sterilized by then.

The scope of the crackdown became visible only after the State Family Planning Commission released data from a sample survey conducted in October. The data for 1992 startled almost everyone.

"We were very surprised by these numbers," said Sterling D. Scruggs, the China director of the United Nations Population Fund. "We didn't expect statistics approaching these levels for several more years."

Western diplomats said they believed that a crackdown was the only plausible explanation for the new statistics. They said Ms. Peng herself seems willing to take credit for the drop in the birth rate.

#### THE MISSING GIRLS—SOME NEWBORNS SEEM TO VANISH

One prime concern among demographers is that hundreds of thousands of newborn Chinese girls seem to vanish from the statistics each year. Biology dictates that for every hundred female births there should be about 105 or 106 male births. But in 1989 for every 100 reported girl births, there were 113.8 births of boys.

That ratio implies that about 8 percent of newborn girls appear to have vanished from the statistics. In China that amounts to 900,000 missing girls each year.

Ms. Peng refused to release the sex ratio in 1992. An aide in charge of statistics, Zhang Erli, said the 1992 survey did not collect such information.

In fact, experts say the survey did gather the data and found a sex ratio of 118.5. But the sample size was small and the margin of error very high, so it is not clear how meaningful the difference is.

Zeng Yi, a leading Chinese demographer, said that the problem of the missing girls is very serious but that most of them are probably alive and never reported to the authorities. Parents who are allowed only one or two children may not want to use up their limited ration on a girl; instead they do not report the birth and try again.

A second factor, according to Mr. Zeng and many other experts, is the growing use of ultrasound equipment in Chinese hospitals. Peasants find out from the doctor—usually with a small bribe—whether a fetus is male or female. If it is female, they get an abortion and start all over.

A final factor, which Mr. Zeng argues is much rarer, is simply infanticide: on instruc-

tions from the parents, the midwife keeps a bucket of water beside her, and if a girl emerges, she drowns the baby immediately. It is reported as a stillbirth.

Mr. Zeng and other Chinese experts deplore all such practices. But ultrasound equipment is spreading rapidly, and so many specialists fear that the sex ratio is likely to become increasingly skewed.

Mr. Zeng cautioned that part of the apparent decline in fertility may simply be the result of under-reporting, particularly of girls. The figures were already adjusted upward by 7 percent to compensate for under-reporting, but Mr. Zeng believes that may not have been enough.

To some diplomats, what the new statistics underscore above all else is how little is known of what happens in the Chinese countryside.

"We had almost no idea that this was going on," a Western diplomat said, shaking his head in perplexity. "Even those who follow these things just had no clue."

#### BIRTHS PUNISHED BY FINE, BEATING OR RUINED HOME

(By Sheryl WuDunn)

GUIYANG, CHINA, April 24.—Four days after the birth, a brigade of 10 men and women came from the township to spoil the celebration.

They demolished the parents' hut, strewing stones and straw all over the place. Then they demanded the equivalent of \$45, and when the family could not pay, they smashed the couple's chest of drawers—their only furniture aside from a bed.

"Then they took away our family cow," said Peng Dagui, a 60-year-old peasant who is the grandfather of the baby boy. "I wouldn't let the cow out of my sight. I followed it all the way to the township and pleaded with the officials there. But they didn't care."

The Peng family had the misfortune to be caught up last year in a nationwide crackdown by the family planning authorities. The baby was a second child, a boy, and the parents did not wait the full four years before a second child is allowed in this area.

Instead, the baby was born five months before it would have been permitted, and so the local authorities destroyed the home and took the cow. And that was not the end of it.

#### A FORCED STERILIZATION

Three months after the birth, two dozen officials appeared in the village, in southern China's Guizhou Province, to take the baby's mother, Wang Zhengmei, 27, to the clinic to be sterilized. Ms. Wang did not dare refuse, and in any case, she was told that she would get \$3.50 if she had the operation.

She had a tubal ligation, but the officials never gave her the money, she said.

At least rebuilding a home is in some respects a bit easier in a poor Chinese village than in a big city: the father, Peng Fangang, rebuilt the hut in a month from stones and dry grass collected in the fields.

The only solace the Pengs had was that they were not alone: the officials had done the same thing to another family in the same village, tucked in a hilly region outside Guiyang, more than 1,100 miles southwest of Beijing.

The same plight has befallen many of China's 900 million peasants in villages across the country. Some of the victims are educated, some are illiterate, some have small businesses, and some have barely enough to eat.

#### PEASANTS OFTEN INTIMIDATED

From visits to rural villages in many areas of China, a picture emerges of a family plan-



ning policy that sometimes seems administered with capriciousness. The victims, mostly peasants, often seem intimidated, angry, bewildered and confused.

"Please, can you tell me, ultimately, what is the nation's family planning policy?" a 45-year-old grade-school teacher surreptitiously asked a visitor to his village.

In 1983, he and his wife had a second child, three years after they had their first. He thought this was permissible. But the policy had apparently changed, he said, and so officials fined him \$2,456, about 17 times his annual salary at that time.

Since he did not have the money, they deducted it from his salary, docking about 80 percent of his wages for a decade, until the end of last year, when he finally got a vasectomy. Such fines by an installment plan seem common in the villages—perhaps because otherwise nobody could pay them.

#### FINES SEEM ARBITRARY

What puzzles the peasants is that the fines often seem arbitrary, set at will by local officials. Some families seem to be able to have three or four babies; others are punished for having two.

Villagers say that if they cannot pay the fines, the family planning officials confiscate a cow, a pig, an important farm tool or household belongings like furniture or a television. Sometimes they simply smash the items, and often they knock down the house as well.

In another village, Luo Wanyun said the authorities had somehow agreed to let his wife have a third child. This seems a bit unlikely, but Mr. Luo, 38, has only a first-grade education, and it may have been a misunderstanding.

In any case, after the baby came, a brigade from the township knocked down his house. The team also confiscated his wooden thrasher, used to prepare the rice after it is harvested. Mr. Luo said his family had to live in the hills until they could borrow straw to rebuild the house.

"They often take things, your furniture, your cow, your pig, your chickens, your preserved meat," said a 35-year-old woman in another Guizhou Province village. "If you get sterilized, they take your stuff, and if you don't get sterilized, they beat you."

"Some people have been beaten badly, family members and women," she added. "They take electric batons and they hit whomever they see."

#### COFFIN IS CONFISCATED

She and other villagers were gathered in the house of Huang Guohai, a 37-year-old peasant who has two children, six years apart. For some reason, he never got a marriage license when he married 11 years ago.

Because he had no license, the peasants said, a brigade of 10 people, wielding sticks and screwdrivers, came to his house last year at 1 o'clock in the morning and took away his wash basin and black-and-white television. What upset Mr. Huang even more was that they confiscated the coffin and funeral clothes he had prepared for his aged mother, to be used when she dies.

Why didn't he resist? Mr. Huang explained, "If you don't let them take your things, you'll just get beaten."

To the east, in Guangdong Province, peasants tend to be much richer and can often afford to pay the fines to have more children. Some of them manage to defy the authorities.

In Shunshui, a hamlet in Taishan County, Wu Tiaoyuan said he and his wife, 33, hid for several months while she was pregnant with

their third child. She finally gave birth in February 1992 to the son they had always wanted.

"We kept moving around from village to village," Mr. Wu said. "It was very hard, and I was scared."

#### FRUITLESS ATTEMPT TO ESCAPE

Wu Xinlian, a 30-year-old peasant whose dream was to have a son, thought she too could escape the policy. She has two daughters, and so the authorities insisted that she be sterilized.

When the family planning authorities swept into her village a year ago, preparing to take her and other women to the hospital for a tubal ligation, Ms. Wu fled to Shunshui, where she grew up.

She stayed with her parents, planning to meet husband secretly and become pregnant. But the authorities discovered her whereabouts and sent two dozen officials to take her to a hospital for her tubal ligation. She said she did not dare refuse.

"I have no idea how they found out I was here," Ms. Wu said as she carried her younger daughter on a visit to her parents in Shunshui. She added wistfully, "I really wanted a boy."

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 29, 1993, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### APRIL 30

9:30 a.m.

#### Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

10:00 a.m.

#### Finance

To hold hearings to examine various tax issues.

SD-215

#### Governmental Affairs

To resume hearings on S. 185, to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes

of the nation, and to protect such employees from improper political solicitations.

SD-342

#### MAY 3

1:00 p.m.

#### Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

#### MAY 4

9:00 a.m.

#### Armed Services

Force Requirements and Personnel Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense, and the future years defense program, focusing on military services' personnel programs.

SD-562

9:30 a.m.

#### Commerce, Science, and Transportation

To hold hearings on the implications of the North American Free Trade Agreement (NAFTA) on the competitiveness of the U.S. surface transportation industry.

SR-253

#### Energy and Natural Resources

To hold hearings on the nominations of Thomas P. Grumbly, of Virginia, to be an Assistant Secretary of Energy for Environmental Restoration and Management, and Susan Fallows Tierney, of Massachusetts, to be an Assistant Secretary of Energy for Domestic and International Energy Policy.

SD-366

10:00 a.m.

#### Foreign Relations

African Affairs Subcommittee

To hold hearings to review the crisis in Sudan.

SD-419

2:00 p.m.

#### Joint Organization of Congress

To resume hearings to examine congressional reform proposals, focusing on committee structure.

H-5, Capitol

2:30 p.m.

#### Energy and Natural Resources

Mineral Resources Development and Production Subcommittee

To hold hearings on S. 775, to modify the requirements applicable to locatable minerals on public lands, consistent with the principles of self-initiation of mining claims.

SD-366

#### Foreign Relations

To hold hearings on the nominations of Harry J. Gilmore, of Virginia, to be Ambassador to the Republic of Armenia, Pamela Harriman, of Virginia, to be Ambassador to France, Victor Jackovich, of Iowa, to be Ambassador to the Republic of Bosnia and Herzegovina, and E. Allan Wendt, of California, to be Ambassador to the Republic of Slovenia.

SD-419

MAY 5

9:30 a.m.  
Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-124

Armed Services  
Military Readiness and Defense Infrastructure Subcommittee  
To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense, and to review the fiscal years 1995-99 future years defense program, focusing on the readiness and sustainability of posture of selected unified combatant commands.

SR-232A

Energy and Natural Resources  
Business meeting, to consider pending calendar business.

SD-366

10:00 a.m.  
Foreign Relations  
International Economic Policy, Trade, Oceans and Environment Subcommittee  
To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for foreign assistance programs, focusing on changing priorities in foreign aid.

SD-419

2:00 p.m.  
Small Business  
To hold hearings on the nomination of Erskine B. Bowles, of North Carolina, to be Administrator of the Small Business Administration.

SR-428A

3:00 p.m.  
Foreign Relations  
To hold hearings on the nomination of Alexander Fletcher Watson, of Massachusetts, to be Assistant Secretary of State for Inter-American Affairs.

SD-419

MAY 6

9:00 a.m.  
Office of Technology Assessment  
Board meeting, to consider pending business.

Room to be announced

9:30 a.m.  
Joint Organization of Congress  
To resume hearings to examine congressional reform proposals, focusing on committee structure.

S-5, Capitol

10:00 a.m.  
Appropriations  
VA, HUD, and Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Commission on National and Community Service.

SD-192

Appropriations  
Transportation Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Federal Aviation Administration, focusing on procurement reform.

SD-138

Commerce, Science, and Transportation  
Foreign Commerce and Tourism Subcommittee

To hold hearings to examine U.S. competitiveness in the global marketplace.

SR-253

Energy and Natural Resources  
To hold hearings on S. 646, to establish within the Department of Energy an international fusion energy program.

SD-366

10:30 a.m.  
Environment and Public Works  
Superfund, Recycling, and Solid Waste Management Subcommittee  
To hold hearings to examine the health and ecological impacts of certain Superfund sites.

SD-406

2:30 p.m.  
Energy and Natural Resources  
Public Lands, National Parks and Forests Subcommittee  
To hold hearings on S. 172 and H.R. 63, bills to establish the Spring Mountains National Recreation Area in Nevada, S. 184, to provide for the exchange of certain lands within the State of Utah, S. 250, to designate certain segments of the Red River in Kentucky as components of the National Wild and Scenic Rivers System, S. 489, the "Gallatin Range Consolidation and Protection Act," and S. 577, to resolve the status of certain lands relinquished to the U.S. under the act of June 4, 1897 (30 Stat. 11, 36).

SD-366

MAY 7

9:30 a.m.  
Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

MAY 11

9:30 a.m.  
Joint Printing  
Meeting, to review congressional printing and other activities of the Government Printing Office.

SR-301

2:00 p.m.  
Joint Organization of Congress  
To resume hearings to examine congressional reform proposals, focusing on committee structure.

H-5, Capitol

MAY 12

9:30 a.m.  
Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Education.

SD-138

Energy and Natural Resources  
Business meeting, to consider pending calendar business.

SD-366

10:00 a.m.  
Commerce, Science, and Transportation  
To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for the U.S. Coast Guard.

SR-253

MAY 13

9:00 a.m.  
Agriculture, Nutrition, and Forestry  
Agricultural Research, Conservation, Forestry and General Legislation Subcommittee  
To hold hearings on proposed authorizations for the Federal Grain Inspection Service, Department of Agriculture.

SR-332

10:00 a.m.  
Appropriations  
VA, HUD, and Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Federal Emergency Management Agency.

SD-106

Appropriations  
Transportation Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the U.S. Coast Guard, focusing on marine safety.

SD-138

Joint Organization of Congress  
To resume hearings to examine congressional reform proposals.

S-5, Capitol

2:00 p.m.  
Commerce, Science, and Transportation  
Communications Subcommittee  
To hold hearings on S. 329, to revise section 315 of the Communications Act of 1934 with respect to the purchase and use of broadcasting time by candidates for public office, and S. 334, to revise the Communications Act of 1934 regarding the broadcasting of certain material regarding candidates for Federal elective office.

SR-253

MAY 14

9:30 a.m.  
Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Health and Human Services.

SD-430

10:00 a.m.  
Appropriations  
VA, HUD, and Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Consumer Product Safety Commission, Office of Consumer Affairs, Consumer Information Center, Neighborhood Reinvestment Corporation, Points of Light Foundation, Court of Veterans Affairs, and Office of Science Technology Policy.

SD-192

MAY 18

9:30 a.m.  
Energy and Natural Resources  
To hold hearings on S. 721, authorizing funds for fiscal years 1994-1998 for the Federal land and water conservation fund.

SD-366

2:00 p.m.  
Joint Organization of Congress  
To resume hearings to examine congressional reform proposals, focusing on floor deliberation and scheduling.

H-5, Capitol



MAY 19

9:30 a.m.

Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Labor.

SD-138

Energy and Natural Resources  
Business meeting, to consider pending calendar business.

SD-366

10:00 a.m.

Commerce, Science, and Transportation  
To hold hearings on S. 419, to provide for enhanced cooperation between the Federal Government and the United States commercial aircraft industry in aeronautical technology research, development, and commercialization.

SR-253

MAY 20

9:30 a.m.

Rules and Administration  
Business meeting, to mark up S. 27, to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia, S. 277, to authorize the establishment of the National African American Museum within the Smithsonian Institution, S. 685, to authorize appropriations for fiscal years 1994-1997 for the American Folklife Center, S. 345, to authorize the Library of Congress to provide certain information products and services at no cost, proposed legislation authorizing funds for fiscal year 1994 for the Federal Election Commission, and to consider other pending committee business.

SR-301

10:00 a.m.

Joint Organization of Congress  
To resume hearings to examine congressional reform proposals, focusing on floor deliberation and scheduling.

S-5, Capitol

MAY 21

9:00 a.m.

Appropriations  
VA, HUD, and Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Housing and Urban Affairs, and certain independent agencies.

SD-138

MAY 24

1:30 p.m.

Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Public Health Service, Department of Health and Human Services.

SD-192

MAY 25

9:30 a.m.

Energy and Natural Resources  
To hold hearings on S. 544, to protect consumers of multistate utility systems, and an amendment to S. 544, to transfer responsibility for administering the Public Utility Holding Company Act of 1935 from the Securities and Exchange Commission to the Federal Energy Regulatory Commission.

SD-366

2:00 p.m.

Joint Organization of Congress  
To resume hearings to examine congressional reform proposals, focusing on floor deliberation and scheduling.

H-5, Capitol

MAY 26

9:30 a.m.

Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the National Institutes of Health, Department of Health and Human Services.

SD-116

Energy and Natural Resources  
Business meeting, to consider pending calendar business.

SD-366

MAY 27

10:00 a.m.

Appropriations  
VA, HUD, and Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Veterans Affairs.

SD-106

Appropriations  
Transportation Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the National Highway Traffic Safety Administration, focusing on drunk driving.

SD-138

Joint Organization of Congress  
To resume hearings to examine congressional reform proposals, focusing on floor deliberation and scheduling.

S-5, Capitol

MAY 28

10:00 a.m.

Judiciary  
Immigration and Refugee Affairs Subcommittee  
To hold hearings on S. 667, to revise the Immigration and Nationality Act to improve the procedures for the exclusion of aliens seeking to enter the United States by fraud, and on other proposed legislation on asylum issues, and to examine the implementation of immigration laws on preventing terrorism.

SD-226

JUNE 10

10:00 a.m.

Appropriations  
VA, HUD, and Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the National Aeronautics and Space Administration.

SH-216

JUNE 18

9:30 a.m.

Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings to examine waste, fraud, and abuse in the Government, and ways of streamlining Government.

SD-192

JUNE 21

9:30 a.m.

Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

1:30 p.m.

Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

## CANCELLATIONS

APRIL 29

10:30 a.m.

Judiciary  
Business meeting, to consider pending calendar business.

SD-226

## POSTPONEMENTS

APRIL 29

9:30 a.m.

Commerce, Science, and Transportation  
To hold hearings to examine the North American Free Trade Agreement's effects on U.S. competitiveness.

SR-253

Governmental Affairs  
To hold hearings to examine the rebuilding of the Federal Emergency Management Agency in an effort to be prepared for the next possible disaster.

SD-342